



# FEDERAL REGISTER

## VOLUME 8

1934

NUMBER 34

Washington, Thursday, February 18, 1943

## **Regulations**

**TITLE 5—ADMINISTRATIVE  
PERSONNEL**

## Chapter I—Civil Service Commission

PART 17—REGULATIONS OF THE BOARD OF  
LEGAL EXAMINERS<sup>1</sup>

REGISTERS; RIGHTS OF ELIGIBLES WHO ENTER  
MILITARY SERVICE

Sections 17.8 *Registers of eligibles* and 17.9 *Rights of eligibles who enter military service* are added as follows:

§ 17.8 *Registers of eligibles.* Registers of eligibles for attorney positions shall contain such numbers, be applicable to such positions, and be effective for such periods as the Board shall determine and announce. The publication of each register and of the supplements thereto shall constitute the certification of the eligibles included. The register, together with pertinent information concerning the eligibles which the Board will supply shall be available in full to appointing officers, who may make selections for appointment from among those included, subject to the Board's stated minimum experience requirements for particular grades of positions and with the exception that the Board may from time to time suspend the certification of eligibles from particular States in order to give effect to the principle that appointments shall so far as practicable be distributed among the States in proportion to population. Except as to individuals of whom the Board is advised by appointing officers in advance of publication of the register, all appointments to the positions and for the period covered by any register shall be from the register. The selections from any register shall be communicated immediately by the appointing agencies to the Board. The Board, immediately upon entering its approval of proposed appointments, will remove the names of the appointees from the register. The Board may from

time to time add to a register others who have qualified through examination, in substitution for those who have been found unavailable for appointment, and may at any time suspend or cancel the eligibility of an individual included upon a register for cause arising either before or after his original certification. In case the life of a register is extended, the eligibles remaining upon it may as a condition of continued eligibility be required to furnish supplementary statements of qualifications and experience.

**§ 17.9 Rights of eligibles who enter military service.** Applicants for the Board's register who enter the military and related services or who are drafted into national service under the Selective Service Act shall enjoy the following rights, provided request is made within six months following their honorable discharge and return to civilian status:

(a) An applicant whose score upon a written examination confers eligibility for oral examination and who enters the service before his oral examination shall be entitled to take a qualifying oral examination or at the option of the Board to compete in a competitive oral examination in process at the time of his request and, if recommended by the examining committee, to be included for one year among the eligibles for positions in the grade or grades for which the original written examination was given.

(b) An applicant who enters the service after having qualified for a register but before the register is announced shall not be placed upon the register but shall be included for one year following action upon his request among the eligibles for positions in the grade or grades covered by the register for which he had qualified.

(c) An eligible upon a register who enters the service during the life of the register shall be included among the eligibles for positions in the same grade or grades for one year following action upon his request.

upon his request.

The foregoing rights shall accrue regardless of the tenure and status attaching to appointments during the

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue. Remit money order for subscription or single copies payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

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Telephone information: District 0525.

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(E.O. 8743, 6 F.R. 2117)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,  
President.

JANUARY 30, 1943.

[F. R. Doc. 43-2582; Filed, February 16, 1943;  
1:41 p. m.]

#### TITLE 7—AGRICULTURE

##### Chapter VII—Agricultural Adjustment Agency

[ACP-1943-3]

##### PART 701—AGRICULTURAL CONSERVATION PROGRAM

###### SUBPART E—1943<sup>1</sup>

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.401, the first paragraph thereof, is amended to read as follows:

§ 701.401 *Allotments, yields, and grazing capacities.* The national allotments are 43,423,000 acres for corn; 55,000,000 acres for wheat; 25,550,276 acres for cotton (excluding the acreage reserve for new growers); 1,610,000 acres for peanuts; and 1,380,000 acres for rice. The State allotments for corn, wheat, and cotton shall be identical with those established under Title III of the Agricultural Adjustment Act of 1938, as amended. The State allotments for peanuts are: Alabama 274,907 acres; Arkansas 5,473 acres; California 1,257 acres; Florida 73,236 acres; Georgia 550,694 acres; Louisiana 353 acres; Mississippi 2,476 acres; New Mexico 3,673 acres; North Carolina 225,702 acres; Oklahoma 61,607 acres; South Carolina 18,375 acres; Tennessee 4,766 acres; Texas 246,373 acres and Virginia 141,108 acres. The State allotments for rice are: Arkansas 239,800 acres; Louisiana 607,200 acres; Texas 367,700 acres; California 163,900 acres; Missouri 500 acres and Hawaii 900 acres. The county normal yields of corn, wheat, cotton and peanuts shall be identical with those established under Title III of the Agricultural Adjustment Act of 1938, as amended. The State average yields of rice per acre are: Arkansas 23.2 cwt.; Louisiana 18.1 cwt.; Texas 22.1 cwt.; California 32.0 cwt.; and Missouri 22.5 cwt. The national and State allotments and the county normal yields for each kind of tobacco will be established by the Secretary.

2. Section 701.410 is amended by adding at the end thereof the following new paragraph (f):

§ 701.410 *General provisions relating to payments.* \* \* \*

(f) *Operated farms.* Production adjustment payments will be made only with respect to farms that are operated except in areas designated by the Agricultural Adjustment Agency as areas in which a substantial number of farms will not be operated for causes beyond the control of the operators. In these areas the production adjustment allowance for a special crop on a farm that is not operated will be computed on the smaller of (1) the acreage allotment or (2) 125 percent of the acreage planted to the crop.

Done at Washington, D. C., this 16th day of February 1943. Witness my hand

<sup>1</sup> 7 F.R. 10031, 10127; 8 F.R. 45, 59.

and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 43-2583; Filed, February 16, 1943;  
2:35 p. m.]

[ACP-1943-6]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.401 (a) is amended by deleting subparagraph (5) thereof and by renumbering subparagraph (6) as subparagraph (5).

2. Section 701.403 is amended by deleting paragraph (b) thereof, by re-lettering paragraphs (c), (d), and (e) as paragraphs (b), (c), and (d), respectively, and by changing new paragraphs (b) and (c) to read as follows:

§ 701.403 Production adjustment allowance and deductions. \* \* \*

(b) *Deduction for failure to achieve 90 percent of the sum of the war crop goals.* The deduction for failure to achieve 90 percent of the sum of the war crop goals shall be made only from the farm production adjustment allowance. No deduction shall be made where the county committee finds, in accordance with instructions issued by the Agricultural Adjustment Agency, that the failure to achieve 90 percent of the sum of the war crop goals is due to flood or drought. The deduction will be \$15.00 for each acre by which the sum of the acreage planted to war crops on the farm is less than 90 percent of the sum of the war crop goals for the farm.

(c) *Deductions for exceeding allotments.* Deductions for exceeding allotments shall be made from the remainder of the farm production adjustment allowance after any deduction provided for in paragraph (b) above has been made. If the deductions for exceeding allotments are in excess of the remainder of the farm production adjustment allowance, each person's share of the excess after proration of net deductions shall be deducted from such person's share in the production adjustment payment for any other farm in the county, and may be deducted from such person's share of the production adjustment payment for any other farm in the State, if the State committee finds that the crops grown on the farm or farms with respect to which such deductions are computed substantially offset the contribution to the program made on such other farm or farms. These deductions shall be determined as follows:

(1) *Cotton.* Ten times the payment rate for each acre planted to cotton in excess of the cotton allotment.

(2) *Tobacco.* Ten times the payment rate for each acre of tobacco harvested

in excess of the applicable tobacco allotment.

(3) *Wheat—(i) Wheat on a wheat allotment farm.* Ten times the payment rate for each acre planted to wheat on the farm in excess of the wheat allotment.

(ii) *Wheat on a non-wheat-allotment farm.* Ten times the payment rate for each acre of wheat on the farm harvested for grain, or for any other purpose after reaching maturity, in excess of the larger of 15 acres or the wheat allotment, or in areas designated by the Agricultural Adjustment Agency in excess of the largest of 15 acres, the wheat allotment, or if no wheat is sold from the farm, three acres per family living on the farm and having an interest in the wheat crop grown thereon.

(d) *Miscellaneous deductions.* \* \* \*

3. Section 701.405 (a) (2) is amended to read as follows:

§ 701.405 Division of payments and deductions—(a) Payments and deductions in connection with crop acreage allotments. \* \* \*

(2) The deduction for failure to achieve 90 percent of the sum of the war crop goals shall be made prorata from the items constituting the farm production adjustment allowance.

Done at Washington, D. C., this 16th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 43-2584; Filed, February 16, 1943;  
2:35 p. m.]

Chapter XII—Commodity Credit Corporation

[CCC Order 3]

PART 1600—OILSEEDS

RESTRICTIONS ON SOYBEAN PURCHASES

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure adequate supplies of soybeans to meet essential civilian and war needs, *It is hereby ordered.* As follows:

§ 1600.3 *Restriction on soybean purchases—(a) Definitions.* (1) "Processor" as used herein means any person operating a processing plant for producing soybean oil and meal.

(2) "Manufacturer" as used herein means any person operating a manufacturing plant for producing soybean products other than oil and meal.

(3) "Seed dealer" as used herein means any person regularly engaged in the buying and selling of soybeans for planting purposes.

(4) "Country elevator" as used herein means any person who regularly purchases directly from farmers, stores, and sells grain at other than terminal markets.

(5) "Person" as used herein means any individual, partnership, corporation, association, or other business entity.

(6) "Purchase" as used herein means to purchase, acquire by barter or exchange, or to contract to do any of the foregoing. The term "sell" as used herein shall be construed accordingly.

(7) "Soybeans" as used herein means whole and ground soybeans.

(b) *Limitation on inventory and use of soybeans by processors, manufacturers, and seed dealers.* No processor, manufacturer, or seed dealer shall purchase or accept delivery of soybeans of the 1942 crop in a total quantity which, taken in conjunction with the quantity of his existing supply of soybeans, would be in excess of his processing, manufacturing, and seed sales requirements for the period ending October 10, 1943; and no soybeans of the 1942 crop shall be used by a processor, manufacturer, or seed dealer except for meeting his processing, manufacturing, and seed sales requirements, or for sale to persons eligible to purchase or accept delivery of such soybeans under this subsection or under paragraph (c) hereof.

(c) *Restrictions on purchase of soybeans by other persons.* No person other than a processor, a manufacturer, or a seed dealer shall purchase or accept delivery of soybeans of the 1942 crop in a total quantity in excess of the quantity (1) required to fill orders on hand at the time of such purchase from processors, manufacturers, and seed dealers; (2) required to be delivered or deliverable under contracts with the Commodity Credit Corporation; and (3) necessary to meet his planting requirements: *Provided*, That this paragraph shall not prevent a country elevator, without orders on hand from processors, manufacturers, or seed dealers, from purchasing directly from farmers an aggregate quantity of such soybeans not in excess of two thousand (2,000) bushels.

(d) *Prohibition on purchase and use for feed and fertilizer.* No person shall purchase or accept delivery of soybeans of the 1942 crop for use as, or manufacture into, fertilizer or feed for livestock, poultry or pets; and no soybeans of the 1942 crop purchased or delivered after the effective date of this order shall be used as, or manufactured into, fertilizer or feed for livestock, poultry or pets. This restriction shall apply only to soybeans in whole or ground form.

(e) *Prohibition on sales.* No person shall sell soybeans to any person if he knows or has reason to believe that the purchase of such soybeans would be in violation of this order.

(f) *Existing contracts.* The restrictions imposed by this order shall be effective notwithstanding any contract or commitment to the contrary.

(g) *Records and reports.* Every person subject to this order shall maintain for not less than two years accurate and complete records concerning his sales, purchases and uses of soybeans, and shall maintain such other records, execute and file such reports upon such forms, and submit such information as the Commodity Credit Corporation may from time to time request or direct, and within such times as it may prescribe.

(h) *Audits and inspections.* Every person subject to this order shall, upon

request, permit inspections at all reasonable times by duly authorized representatives of the Commodity Credit Corporation of his stocks of soybeans and of the premises used for crushing, processing, or storing of such soybeans and soybean products manufactured therefrom, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by duly authorized representatives of Commodity Credit Corporation.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Commodity Credit Corporation, setting forth all pertinent facts and the nature of the relief sought. The Commodity Credit Corporation may thereupon take such action as it deems appropriate and such action shall be final.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or who wilfully conceals a material fact concerning any matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of or from crushing, processing or using vegetable oilseeds and oilseed products of any kind, and such further action may be taken against him as the Commodity Credit Corporation deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, 1942, and under any and all other applicable laws.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Commodity Credit Corporation, United States Department of Agriculture, Washington, D. C., Ref: CCC-3.

(l) *Exercise of authority conferred.* The authority conferred upon the Commodity Credit Corporation by this order shall be exercised by the President or Acting President of the Commodity Credit Corporation or such employees of the Department of Agriculture as he may designate.

(m) *Commodity Credit Corporation Oilseed Order 3 superseded.* This order supersedes in all respects Oilseed Order No. 3 issued by Commodity Credit Corporation on October 14, 1942 (7 F.R. 8375), except that, as to violations of said order or rights accrued, liabilities incurred or appeals taken under said order prior to the effective date hereof, said Oilseed Order No. 3 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Oilseed Order No. 3 shall be considered under this order.

(n) *Effective date.* This order shall become effective as of 12:01 a. m., e. w. t., February 18, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 17th day of February 1943.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-2596; Filed February 17, 1943;  
11:15 a. m.]

active commissioned or warrant officer service in the Army of the United States as service for all purposes.

(3) These individuals will be reenlisted in the grade held prior to discharge to accept appointment.

(41 Stat. 765; 10 U.S.C. 42) [Par. 10d, AR 600-750, September 30, 1942, as amended by C 6 February 8, 1943]

[SEAL] J. A. ULIQ,  
Major General,  
The Adjutant General.

[F. R. Doc. 43-2592; Filed, February 17, 1943;  
10:06 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter VII—Personnel

#### PART 71—RECRUITING AND INDUCTION FOR THE ARMY OF THE UNITED STATES<sup>1</sup>

##### REENLISTMENT OF MEN DISCHARGED TO ACCEPT COMMISSIONS

Section 71.6 (d) is amended as follows:

§ 71.6 Grade. \* \* \*

(d) *Reenlistment of men discharged to accept commissions as officers or appointment as warrant officers.* (1) Any enlisted man of the Regular Army who serves on active duty as a Reserve officer of the Army of the United States or who is discharged to accept a commission in the Army of the United States and whose active service as a commissioned officer terminates honorably will be entitled without regard to any physical disqualification incurred, or having its inception, while on active duty in line of duty, to reenlist in the grade held prior to such commissioned service, without loss of service or seniority and without regard to whether a vacancy exists in the appropriate enlisted grade: *Provided*, That application for reenlistment is made within 6 months after the termination of such commissioned service. Enlisted men of the Regular Army will be entitled to count active commissioned service in the Army of the United States as enlisted service for all purposes.

(2) Any man in an enlisted status in the Army of the United States (other than an enlisted man of the Regular Army) discharged to accept a commission as an officer or appointment as warrant officer or who serves as a commissioned officer of the Army of the United States (and any enlisted man of the Regular Army discharged to accept an appointment as a warrant officer), whose active service as a commissioned officer or warrant officer terminates honorably and who tenders himself for reenlistment within 6 months after termination of such commissioned or warrant officer service if he has passed his 38th birthday, or within 15 days after termination of such service if he is between the ages of 18 and 38, will, regardless of physical disqualification incurred or having inception while on active duty in line of duty, and regardless of whether a vacancy exists in the appropriate enlisted grade, be accepted and restored without loss of seniority to the grade held by him prior to such commissioned or warrant officer service; and will be entitled to count

### Chapter VIII—Procurement and Disposal of Equipment and Supplies

#### PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

##### MISCELLANEOUS AMENDMENTS

Sections 81.308a, 81.308b, 81.379, 81.380 and 81.381 are hereby amended as follows:

**AUTHORITY:** Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601-622.

**SOURCE:** The regulations in §§ 81.308a, 81.308b, 81.379, 81.380 and 81.381 are also contained in Services of Supply Memorandum No. S5-24-43, February 2, 1943.

§ 81.308a *Supplemental agreements and change orders not involving receipt of consideration.* Except as otherwise specifically provided in these regulations, approval by the Director, Purchases Division, Headquarters, Services of Supply, will be required for each supplemental agreement or change order which does not involve the receipt by the Government of adequate legal consideration, or which modifies or releases an accrued obligation owing directly or indirectly to the Government including accrued liquidated damages or liability under any surety or other bonds. In every such case the supply service shall submit a full statement of the case and of the action recommended together with a finding by the supply service, adequately supported, that the prosecution of the war would be facilitated by the action recommended. The Director, Purchases Division, will signify his approval by manual execution of the supplemental agreement or change order, where such instrument is submitted, or where such instrument is not submitted, by memorandum, indorsement, letter, or telegram in response to the request for approval.

§ 81.308 *Correction of mistakes.* (a) Effecting amendment of contracts with the least possible delay to correct misunderstandings, mistakes, errors, and ambiguities will facilitate the prosecution of the war by expediting the procurement program and by giving contractors proper assurance that mistakes unavoidable in a war program as large and extensive as that now in progress, will be corrected expeditiously and fairly. Accordingly, mistakes may be corrected by supplemental agreement pursuant to Title II of the First War

<sup>1</sup> 7 F.R. 9222.

Powers Act, 1941, and Executive Order No. 9001 as follows:

(1) Each chief of a supply service may enter into supplemental agreements correcting mistakes found by the chief of the supply service to be of the following types: (i) misunderstandings, mistakes, errors of the parties to a written agreement, or ambiguities therein, which consist solely of a failure to express in the written agreement the true agreement between them in accordance with the negotiations between them; (ii) mistakes and errors of a contractor, even if unilateral, which consist solely of the failure of the contractor, in good faith, to set forth in a bid or in a written agreement what he intended to include therein; *Provided*, Both as to such mutual mistakes and such unilateral mistakes, that the effect of any change by such supplemental agreement to correct any such mistakes does not make an adjustment of \$50,000 or more; *And provided further*, That such change will not result in the payment to the contractor of a sum in excess of any bid made by another contractor where such contract was placed as a result of a formal or informal invitation to bid.

(2) Supplemental agreements correcting mistakes of any other type, or where the correction of the mistake involves an adjustment amounting to \$50,000 or more, will be submitted for the approval of the Director, Purchases Division, Headquarters, Services of Supply.

(3) Approval of the Director, Purchases Division, will not be required in the case of any supplemental agreement correcting a mistake, under which the Government receives adequate new legal consideration, regardless of whether the supplemental agreement involves an adjustment amounting to \$50,000 or more.

(b) Supplemental agreements to correct misunderstandings, mistakes, errors, and ambiguities in contracts submitted for the approval of the Director, Purchases Division, Headquarters, Services of Supply, in accordance with the provisions of § 81.308a and of this section will be accompanied by a full statement of the circumstances including all relevant papers or copies thereof. The evidence submitted shall show that an error or mistake was made or that a misunderstanding or ambiguity exists, in what it consists and how it occurred, and where relevant, the true intent of the parties. When this paragraph does not require that supplemental agreements be submitted for the approval of the Director, Purchases Division, the chief of the supply service approving or executing such agreement will see that a similar statement is prepared with respect to each such supplemental agreement and that such statement and all relevant papers and evidence are carefully preserved.

**§ 81.379 Steps to be taken in event of default.** (a) The rigid enforcement of contract provisions imposing liquidated damages on contractors for failure to perform within specified periods, or authorizing termination of contracts for default, has been found in many in-

stances to impede the prosecution of the war. The delegation as hereinafter provided to chiefs of supply services of discretion to take such action as may seem to them fair and equitable under all the circumstances will expedite the procurement of necessary war materiel and facilitate the prosecution of the war. For the foregoing reasons, authority is conferred upon the chief of each supply service to authorize contracting officers under his command, subject to such limitations as the chief of the supply service may establish, to take any of the following courses in the event of default of the contractor:

(1) Permit the contractor to proceed and to charge the contractor with the actual damages resulting from the default. If the contract provides for liquidated damages, such damages and not actual damages must be charged.

(2) Enter into a supplemental agreement with the contractor's surety providing for the completion of performance of the contract and for payment therefor. Such supplemental agreement should clearly state that all rights against the contractor are reserved so far as the surety does not undertake to cure the effect of the defaults by the contractor.

(3) Terminate the contract when the contractor has not given a performance bond or when the surety under such a bond has pursuant to any requirement thereof, been given an opportunity (if such requirement is contained in the bond) to complete the contract but does not elect to do so. Such termination may be:

(i) Under any provision of the contract permitting termination in the event of default, in which case the provisions of § 81.380 shall be applicable.

(ii) Under any contract article providing for termination for the convenience of the Government, if the contracting officer shall find that the use of that termination article will facilitate the prosecution of the war and be equitable under all the circumstances unless the contracting officer shall determine that the defaults of the contractor (a) have been gross or wilful, or (b) have caused substantial injury to the Government.

(b) Extend by supplemental agreement the time fixed in the contract for performance in the manner provided in § 81.381 if the default consists of failure to perform within the time specified by the contract. In general, it is not the policy of the Government to terminate contracts for default under the stringent provisions of a delays-damages article, in a manner to bring about a forfeiture or a severe loss on the part of the contractor, merely because, at a time when the Government desires to terminate its contract for reasons not based upon the defaults of the contractor, the contractor happens to be in technical default under the contract.

**§ 81.380 Steps to be taken in event of termination because of default.** (a) If termination is effected pursuant to a contract provision substantially similar to that set forth in § 81.352 or Article 9 of the contract form contained in

§ 81.1302 of this title, the chief of a supply service may, but is not required, to pursue the remedies provided for in such contract provision or available by law. In lieu of making use of such remedies he may, if he finds that to do so will facilitate the prosecution of the war, make a supplemental agreement with the contractor and relieve the contractor of liability which would result from the enforcement of such remedies. Such an agreement may be entered into only with the prior approval of the Director, Purchases Division, Headquarters, Services of Supply (obtained in the manner provided in § 81.308a), except where the chief of a supply service shall find any one of the following facts:

(1) That the Government no longer has need for the supplies, services, or construction called for by the contract.

(2) That the default of the contractor is excusable.

(3) That the supplies or services, undelivered because of the contractor's default, can be obtained from some source other than the contractor on a basis as favorable as that set forth in the contract or that the construction provided for in the contract can be accomplished on terms substantially as favorable to the Government as though performed under the original contract. In such event, even if for reasons of policy the supply service may wish to buy supplies of the type covered by the contract on terms more expensive or less favorable to the Government than those set forth in the contract, the contractor should not be charged with such excess expense. (For example, the supply service may desire to buy from particular producers or in particular geographical areas in order to distribute war work more widely, despite any extra expense involved. The excess expense in such a case is not equitably to be charged to the contractor.)

(4) That any excess cost charged to the contractor would be nominal.

**§ 81.381 Delays.** The chief of each supply service may authorize contracting officers designated by him, at any time before final settlement of a contract (and notwithstanding any provision of the contract requiring that notice be given of the cause of delay in performance), to extend by supplemental agreement the time fixed in the contract for performance and to waive accrued liquidated damages. Each such supplemental agreement shall be entered into pursuant to the First War Powers Act and Executive Order No. 9001. If the contractor shall be in default by reason of delay at the date thereof, a report shall be made to the Director, Purchases Division, Headquarters, Services of Supply, describing the circumstances and the action taken. When, in the opinion of the contracting officer, default of the contract or will result in substantial pecuniary injury to the Government, the authority granted in this section will not be exercised except with the prior approval of the Director, Purchases Division, obtained in the manner provided in § 81.308a. For the purposes of this section the contractor shall not in any case be considered in

default by reason of delay if such delay is excusable within the meaning of the contract.

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 43-2591; Filed, February 17, 1943;  
10:06 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter VI—Selective Service System

[No. 173]

RECORD OF ABSENCE FROM OFFICIAL DUTY  
(STATE)

## ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, I hereby prescribe the following change in DSS form:

Revision of DSS Form 85, entitled "Record of Absence from Official Duty (State)," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,  
Director.

DECEMBER 11, 1942.

[F. R. Doc. 43-2589; Filed, February 17, 1943;  
9:08 a. m.]

Chapter VIII—Board of Economic  
Warfare

## Subchapter B—Export Control

[Amendment 10]

## PART 804—INDIVIDUAL LICENSES

## CERTIFICATES OF NECESSITY

Section 804.8 *Certificates of necessity* is hereby amended by adding the following new paragraph:

§ 804.8 *Certificates of necessity.* \* \* \* (e) Application for the renewal of a license to export must be accompanied by a certificate of necessity when:

(1) The commodity desired to be exported is contained in the list of commodities set forth in paragraph (b) of this section and has not been manufactured on the date application for renewal is filed; or

(2) The commodity desired to be exported, whether or not manufactured, has been added to the list of commodities set forth in paragraph (b) of this section subsequent to the date of issuance of the original license.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Dele-

<sup>1</sup> Form filed as part of the original document.

gation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 13, 1943.

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

[F. R. Doc. 43-2604; Filed, February 17, 1943;  
11:36 a. m.]

date this regulation is published in the FEDERAL REGISTER.

3. In the column headed "Shipping priority rating" the shipping priority rating assigned to the commodities listed below (at every place where said commodities appear in said section) are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
Chemicals (See also Medicinals): Sodium carbonate calcined (soda ash).....	8365.00	C	
Sodium hydroxide (caustic soda) (convert solutions to dry weight for statistical purposes).....	8373.00	C	

The amendments set forth above under "3" shall not apply to licensed shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export on or before March 22, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 16, 1943.

A. N. ZIEGLER,  
Acting Chief of Office,  
Office of Exports.

[F. R. Doc. 43-2605; Filed, February 17, 1943;  
11:36 a. m.]

[Amendment 12]

## PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

## EXPORT PROGRAM OR EXPORT PROJECT LICENSE

Part 808, Procedure Relating, etc., is hereby amended by inserting the following new section between §§ 808.3 and 808.4:

§ 808.3a *Export program or export project license (S. P.) shipments weighing less than 2,240 pounds.* Notwithstanding any other provision in this Part, the provisions thereof applying to shipments weighing 2240 pounds or more shall apply fully to any shipment weighing less than 2240 pounds to be exported under an export program or export project license (S. P.).

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 16, 1943.

A. N. ZIEGLER,  
Acting Chief of Office,  
Office of Exports.

[F. R. Doc. 43-2606; Filed, February 17, 1943;  
11:36 a. m.]

2. In the column headed "Shipping priority rating" the shipping priority rating assigned to the commodity listed immediately below (at every place where said commodity appears in said section) is deleted and in the column headed "General License Group" the group designation assigned to the commodity listed immediately below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
Fish: Fish, fresh, other (include fillet of fish).....	0071.00	None	-----

The amendments set forth above under "1" and "2" shall not apply to licensed shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export on or before the

## Chapter IX—War Production Board

Subchapter B—Director General for Operations  
 AUTHORITY: Regulations in this subchapter issued under P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-242]

L. FELDMAN AND CO.

L. Feldman and Company, Chicago, Illinois, a partnership composed of Perry Feldman and Louis Feldman, is a wholesaler of automotive supplies and is a warehouse as defined in General Preference Order M-9-a. From February 6 to July 15, 1942, the Company sold copper wire and copper tubing on orders which either did not bear any preference ratings or did not bear the preference ratings required by General Preference Order M-9-a. During this period the Company was aware of the restrictions imposed by General Preference Order M-9-a and its sales constituted wilful violations of that order which have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing: *It is hereby ordered, That:*

§ 1010.242 Suspension Order S-242. (a) Perry Feldman and Louis Feldman, individually or doing business as L. Feldman and Company or otherwise, their successors and assigns, shall not accept delivery of, sell, transfer, deliver, or otherwise deal in any copper or copper base alloy, wire or tubing, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Perry Feldman and Louis Feldman, individually or doing business as L. Feldman and Company or otherwise from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on February 20, 1943, and shall expire on May 20, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 16th day of February 1943.

CURTIS E. CALDER,  
 Director General for Operations.

[F. R. Doc. 43-2588; Filed, February 16, 1943;  
 5:05 p. m.]

PART 903—DELEGATIONS OF AUTHORITY  
 [W.P.B. Regulation 1, as Amended Feb. 13,  
 1943<sup>1</sup>]

DELEGATING POWERS WITH RESPECT TO PRIORITIES TO DIRECTOR GENERAL FOR OPERATIONS; AND RATIFYING ACTIONS OF DIRECTOR OF PRIORITIES AND DIRECTOR OF INDUSTRY OPERATIONS

§ 903.0 Regulation 1. (a) (1) The Director General for Operations shall

<sup>1</sup>This document is a re-statement of Amendment 2 to WPB Reg. 1 as amended

perform the functions and exercise all the powers, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and by the Act of March 27, 1942, including the power of the Chairman of the War Production Board under paragraph (e) of Directive 1 of the War Production Board (§ 903.1) to delegate to the Office of Price Administration additional powers with respect to the exercise of rationing control and to amend the delegation with respect thereto contained in said Directive 1.

(2) The Director General for Operations shall review, clear and approve for execution all requests or proposals originating from other Federal agencies, private industry, or other sources for priority action with respect to the procurement, production, transmission or transportation of materials, articles, power, fuel, and other commodities; issue or provide for the issuance of all priority orders, warrants, certificates or ratings with respect to the supply, production, transmission or transportation of materials, articles, power, fuel, and other commodities, and, with reference to specific priority authorities vested by law in established departments and agencies of the Government, certify to such departments and agencies, when he deems such action necessary to the most effective prosecution of war procurement and production, that preferential treatment is essential for certain materials, commodities, facilities or services.

(3) The Director General for Operations shall, in consultation with the United States Maritime Commission, determine when, to what extent, and in what manner, priorities shall be accorded to deliveries of material as provided in section 2 (a) (3) of Public No. 46, 77th Congress, First Session, entitled "An Act to Make Emergency Provision for Certain Activities of the United States Maritime Commission, and for Other Purposes," approved May 2, 1941. Deliveries of material shall take priority as provided in said Act in accordance with such determinations and the orders issued in pursuance thereof by the Director General for Operations.

(4) The Director General for Operations shall perform the functions and exercise all the powers, authority and discretion conferred upon the Chairman of the War Production Board by Executive Orders 8942, 9024, 9040, and 9138, under the Act of October 10, 1940, as amended, and the Act of October 16, 1941, as amended, except the power, authority and discretion conferred upon the Chairman of the War Production Board by paragraph 1b of Executive Order 9040 to establish policies and to issue rules and regulations with respect to requisitioning under said Acts.

(b) The Director General for Operations may exercise the powers, authority and discretion conferred upon him by this regulation through such officers of the War Production Board and such other officials of the Government (in-

July 9, 1942 which appeared in the FEDERAL REGISTER February 16, 1943, page 2007 and reflects the order in its complete form as of February 13, 1943.

cluding the Contracting and Procurement Officers and Inspectors of the War and Navy Departments) and in such manner as he may determine.

(c) All existing rules, regulations, orders, directions, certificates and other actions of the Director of Industry Operations or of his predecessor, the Director of Priorities of the Office of Production Management, are hereby ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended, and any references therein or in any rule, regulation, order, direction, certificate or other action issued on or after July 9, 1942 or taken, to the Director of Industry Operations, or to his predecessor, the Director of Priorities, shall be deemed to be references to the Director General for Operations. Any such rules, regulations, orders, directions, certificates and other actions issued on or after July 9, 1942 or taken in the name of the Director of Industry Operations in any manner heretofore authorized shall be valid for all purposes to the same extent as if issued or taken in the name of the Director General for Operations, unless such authorization shall have been specifically revoked.

(d) In addition to, and without limitation upon, the foregoing delegation of authority, the Rubber Director of the War Production Board is hereby authorized to perform the functions and exercise the powers, authorities and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (54 Stat. 676) as amended by the Act of May 31, 1941 (Public Law No. 89, 77th Congress) and Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public Law No. 507, 77th Congress), to the extent necessary for the performance of the following duties and functions:

(1) To allot rubber among the War Department, Navy Department, Maritime Commission, Aircraft Scheduling Unit, Office of Lend-Lease Administration, Board of Economic Warfare, Dominion of Canada, the Domestic Requirements Section of the Office of Rubber Director, and any other public or private agency authorized to act as a claimant agency before the War Production Board, and also to allot rubber for civilian requirements;

(2) To allocate and apportion rubber among the users thereof, including all allocations and apportionments from the rubber stockpile;

(3) To issue, administer and, where necessary, amend or repeal new orders regulating the production, distribution and use of rubber and rubber products, and to amend, repeal and supersede any existing orders heretofore issued by the War Production Board regulating such production, distribution and use: *Provided, however, That all existing orders of the War Production Board affecting such production, distribution or use shall remain in effect until specifically amended, repealed or superseded. The authority hereby delegated shall not include authority to regulate or control the distribution of any material or products other than rubber and rubber products, even when such other material or prod-*

ucts are for use in the production of rubber.

(e) The Rubber Director may exercise the duties and functions referred to above, either in his own name, through the Director General for Operations of the War Production Board or through such other official, agency or person as he shall designate.

(f) The Director of the Office of War Utilities of the War Production Board shall be directly responsible to the Chairman on policy matters, and to the Program Vice Chairman on administrative matters. In addition to, and without limitation upon, the delegations of authority set forth above, the Director of the Office of War Utilities of the War Production Board is authorized to perform the functions and exercise the powers, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and Title III of the Second War Powers Act, 1942, so far as they relate to (1) producing, transmitting and distributing electricity, manufactured gas, water and central steam heating, (2) transmitting and distributing natural gas, (3) furnishing of communications services except radio, and (4) redistributing materials and equipment owned by, in the possession of, or held for the account of, persons engaged in such activities and services.

The Director of the Office of War Utilities shall also have the authority to issue, amend, repeal and administer (1) preference ratings for the construction, maintenance, repair and operation of facilities for such activities and services, (2) allotments of material under the Controlled Materials Plan, (3) other orders and directions to control the use of material and equipment owned by, in the possession of, or held for the account of, persons engaged in the foregoing activities and services, including, with respect to all of the foregoing, authority to amend, repeal and supersede any existing orders and directions heretofore issued by the War Production Board relating to the foregoing subject matter.

(g) The Director of the Office of War Utilities may exercise the duties and authority referred to above, either in his own name, or through such other official, agency or person as he shall designate.

Issued this 13th day of February 1943.

DONALD M. NELSON,  
Chairman.

[F. R. Doc. 43-2597; Filed, February 17, 1943;  
11:18 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-g, as Amended Feb. 17, 1943]

RUBBER TIRES FOR INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

**§ 940.9 Supplementary Order M-15-g—(a) Definitions.** For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber" means any kind of crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

(3) "Rubber tire" means any solid or pneumatic tire or tire tube made in whole or in part of any kind of rubber and used or designed for use on any industrial power truck.

(4) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, shipyards, airports or depots. The term shall not include automotive tractors, trucks, or wheel-type industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(b) *Restrictions on delivery or acquisition.* Except as permitted by paragraph (c) hereof, no person shall sell, lease, rent, deliver or otherwise transfer, or purchase, accept or otherwise acquire, any new rubber tire used or designed for use on any industrial power truck except under a purchase order rated A-1-a or better on a Preference Rating Certificate PD-1A, or under a purchase order rated A-1-a or better on a Preference Rating Certificate PD-408, provided that no Preference Rating Certificate PD-408 shall be used to acquire any such tire unless such certificate is an individual or interim certificate which covers only the tire or tires which are needed for one or more industrial power trucks referred to in such certificate. Each application filed pursuant hereto for a preference rating for any such tires on Form PD-1A or Form PD-408 shall contain or be accompanied by a statement certifying that each tire covered by such application is needed for replacement purposes within fifteen days from the delivery date specified in such application. No such tire which is permanently mounted on or affixed to a base band made of

iron, steel or any other metal shall be delivered for replacement purposes pursuant to this paragraph (b) unless (1) there is delivered to the person supplying such replacement tire a metal base band of comparable size, or (2) said tire is mounted on or affixed to a base band which was furnished by the person acquiring said tire.

(c) *Exceptions.* The prohibitions of paragraph (b) hereof shall not apply to the sale, lease, renting, delivery or transfer or purchase, acceptance or acquisition of any new rubber tire used or designed for use on any industrial power truck:

(1) *War orders.* When such tire is purchased or acquired to fill any war order, as defined in Supplementary Order M-15-b (§ 940.3), as amended from time to time.

(2) *Original equipment.* When such tire is purchased or acquired to equip any new industrial power truck, manufactured or delivered under the provisions of Limitation Order L-112 (§ 1210.1), as amended from time to time (including any such vehicles manufactured or delivered under appeals from said Limitation Order L-112): *Provided*, That no person shall purchase, receive or otherwise acquire any new rubber tires to be used as original equipment on new industrial power trucks in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his requirements for thirty days.

(3) *Tire distributors and vehicle manufacturers.* When any such tires are acquired for resale to others by either (i) any person (other than a manufacturer of tires for industrial power trucks) who, during the calendar year 1941, was regularly engaged in the business of furnishing new rubber tires for industrial power trucks for replacement purposes and who, while engaged in such business, maintained during the greater part of the calendar year 1941, an inventory of not less than twenty tires for such purpose, or (ii) any person who is a manufacturer of industrial power trucks and who also engages in the business of furnishing to others new rubber tires for industrial power trucks for replacement purposes: *Provided*, That no person shall purchase, receive or otherwise acquire for resale to others as replacement tires any such new rubber tires in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his anticipated orders for the ensuing thirty days: *And provided further*, That no such person shall dispose of any such tires from his inventories except in accordance with paragraphs (b), (c) (1) or (c) (2) hereof.

(d) *Restriction on destruction of metal base bands.* No person shall knowingly destroy or damage any metal base band

designed for an industrial power truck tire if such base band is still usable for mounting or affixing any such tire.

(e) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1*. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Reports*. All persons affected by this order shall prepare and file such reports and questionnaires as may from time to time be requested by the Director General for Operations or the Rubber Director.

(3) *Audit and inspection*. All records required to be kept by this order or by any priorities regulation of the War Production Board shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(4) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals*. Any appeal from the provision of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(6) *Communications*. All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: M-15-g.

NOTE: Paragraph (e) was formerly designated (d).

Issued this 17th day of February 1943.

CURTIS E. CALDER,  
Director General for Operations.

[F. R. Doc. 43-2598; Filed, February 17, 1943;  
11:18 a. m.]

**PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM**

[Priorities Regulation 16, as Amended Feb. 17, 1943]

**APPEALS**

§ 944.37 *Priorities Regulation 16*—(a) Certain appeals to be filed with field offices. Every appeal from any order listed in Appendix A to this regulation shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, notwithstanding any existing provision of any regulation, order or form.

No. 34—2

(b) *Appeals forms*. Every appeal from any order listed in Appendix A to this regulation shall be filed on Form PD-500 or such other form as may be specifically designated in Appendix A, notwithstanding any existing provision of any regulation, order or form.

(c) *Other appeals*. An appeal from any rule, regulation or order not listed in Appendix A to this regulation shall be filed with the Washington Office of the War Production Board unless the rule, regulation or order appealed from provides otherwise.

(d) *Appeal by letter*. An appeal for which no specific form is prescribed by any rule, regulation or order shall be made by filing with the appropriate office of the War Production Board a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

This regulation as amended shall take effect February 22, 1943.

Issued this 17th day of February 1943.

CURTIS E. CALDER,  
Director General for Operations.

**APPENDIX A**

[Appendix A amended February 17, 1943]

**Orders**

L-18-b	L-59-a	L-152 (PD-417)
L-18-c	L-59-b	L-157 (Letter)
L-21	L-62	L-161
L-21-a	L-64	L-165 (Letter)
L-22 (Letter)	L-64-a	L-173 (Letter)
L-23	L-73	L-178 (Letter)
(PD 203)	L-74 (Letter)	L-185 (Letter)
L-23-a	L-77	L-187
L-23-b	L-79 (Letter)	L-199 (Letter)
L-23-c	L-80	L-205 (Letter)
L-27 (Letter)	L-81	L-218
L-27-a	L-92	L-225
L-29	L-93	L-229 (Letter)
L-30-a	L-98	L-236 (Letter)
L-30-b	L-104	M-11-b
L-30-c	L-135	M-83 (Letter)
L-30-d	L-136	M-122 (Letter)
L-33	L-142 (Letter)	M-126
L-36	L-150 (Letter)	M-177 (Letter)
L-42 (Letter)	L-150-a	M-208 (Letter)
L-49	(Letter)	M-209 (Letter)
L-59	L-150-b	M-248 (Letter)
	(Letter)	

[F. R. Doc. 43-2601; Filed, February 17, 1943;  
11:19 a. m.]

**PART 1142—DRY CELL BATTERIES AND PORTABLE LIGHTS OPERATED BY DRY CELL BATTERIES**

[Supplementary Limitation Order L-71-a as Amended Feb. 17, 1943]

**HEARING AID BATTERIES**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hearing aid batteries, and critical materials used in the production of such batteries for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1142.2 *Supplementary General Limitation Order L-71-a*—(a) *Definitions*. For the purposes of this order:

(1) "Hearing aid battery" means any dry cell battery designed and produced

primarily for use in any hearing aid device for personal use.

(2) "Manufacturer" means any person engaged in the business of manufacturing or assembling hearing aid batteries.

(3) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries".

(b) *General restrictions*. On and after April 1, 1943, no manufacturer shall produce any hearing aid batteries which do not conform to the following limitations:

(1) Each hearing aid battery for carbon type hearing aid device shall contain either two or three cells none of which shall be smaller than the cell designated "CD" in Table 1 of Circular C435, with the modifications permitted in Section 2.2 of that Circular, except that four or six cells designated as "C" in such Table may be used in a battery containing a dual circuit.

(2) No "A" or "B" hearing aid battery shall contain as an integral part of such battery a wire connector designed to be attached to its complementary "B" or "A" battery, respectively.

(3) Each "A" hearing aid battery shall contain as terminals either:

(i) Plug-in sockets having the terminal arrangement shown in IV in Figure 1 in Circular C435; or

(ii) Flashlight cell type terminals as described in Section 11.4 of Circular C435.

(4) Except as provided in subparagraph (5) of this paragraph (b), each "B" hearing aid battery

(i) Shall conform to one of the following three limitations:

(a) 22½ volts, 15 cells;

(b) 33 volts, 22 cells; or

(c) 45 volts, 30 cells.

(ii) Shall contain as terminals plug-in sockets having the terminal arrangement shown in III in Figure 1 in Circular C435, except that up to and including May 31, 1943, a manufacturer may produce 30 volt "B" batteries containing terminals having the arrangement shown in XI in Figure 2 of Circular C435.

(5) Each "A" or "B" hearing aid battery which contains a label bearing the name or trade mark of any manufacturer of hearing aid devices shall also indicate on such label the voltage of the battery and contain the following language: "This battery is produced in accordance with War Production Board orders and is designed to be suitable for use with any make of hearing aid device which requires for its operation a battery of this voltage and which is equipped with suitable connectors."

(c) *Applicability of other orders*. Insofar as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, including Limitation Order L-71, limits the use of any material in the production of hearing aid batteries to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C.; Ref.: L-71-a.

Issued this 17th day of February 1943.

CURTIS E. CALDER,  
Director General for Operations.

[F. R. Doc. 43-2600; Filed, February 17, 1943;  
11:18 a. m.]

**PART 1173—RUBBER YARN AND ELASTIC THREAD**

[Conservation Order M-124 as Amended  
Feb. 17, 1943]

Section 1173.1 *Conservation Order M-124* is hereby amended to read as follows:

§ 1173.1 *Conservation Order M-124*—  
(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Restrictions on use and delivery.* No person shall knit, weave or otherwise process or use, sell, deliver, purchase, order or accept any rubber yarn, latex yarn or elastic thread, including all types of synthetic rubber yarn or thread, except:

(1) As heretofore or hereafter specifically authorized by letter or telegram of the Director General for Operations;

(2) For sale and delivery by or to the Defense Supplies Corporation or its representatives;

(3) Any rubber yarn, latex yarn or elastic thread in a retail merchant's stock as such on March 29, 1942.

(c) *Authorizations.* Any authorization requested under paragraph (b) (1) shall be filed on Form PD-556, including inventory data and the prime contractor's name and prime contract number if a Government contract is involved.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All reports required to be filed under, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing, and Leather Division, Washington, D. C., Ref: M-124.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of February 1943.

CURTIS E. CALDER,  
Director General for Operations.

[F. R. Doc. 43-2599; Filed, February 17, 1943;  
11:18 a. m.]

**PART 1279—ELASTIC FABRICS, KNITTED, WOVEN OR BRAIDED**

[Conservation Order M-174 as Amended  
Feb. 17, 1943]

Section 1279.1 *Conservation Order M-174* is hereby amended to read as follows:

§ 1279.1 *Conservation Order M-174*—  
(a) *Definition of elastic fabric.* For the purposes of this order, "elastic fabric" shall mean any fabric knitted, woven or braided containing bare rubber core or covered rubber thread, including all types of synthetic rubber core or thread, six inches in width or less, of any quality or in any condition whatsoever.

(b) *Restrictions on use and delivery.* Notwithstanding the provisions of any other conservation or limitation order, no person shall process, cut, change the form of, attach, sew on, sell, deliver, purchase or accept any elastic fabric except:

(1) As heretofore or hereafter specifically authorized by letter or telegram of the Director General for Operations;

(2) For sale or delivery by or to the Defense Supplies Corporation or its representatives;

(3) Any elastic fabric which, on or before the opening of business on June 20, 1942, was already packaged in the customary retail packaging of such fabric, where such packaging differs in both put-up and amount of fabric from the packaging of the same fabric for distribution to processors, manufacturers, or any persons other than retail distributors or persons selling to retail distributors.

(c) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(d) *Authorizations.* Any authorization requested under paragraph (b) (1) shall be filed on form PD-556, including inventory data and the prime contractor's name and prime contract number if a Government contract is involved.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Communications.* All reports required to be filed under, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref: M-174.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of February 1943.

CURTIS E. CALDER,  
Director General for Operations.

[F. R. Doc. 43-2602; Filed, February 17, 1943;  
11:19 a. m.]

**PART 3156—CATTLE HIDE LEATHER AND CATTLE HIDE LEATHER PRODUCTS**

[Conservation Order M-273]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of cattle hide leather and cattle hide leather products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3156.1 *Conservation Order M-273*—  
(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as provided in paragraph (h) of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Tanner" means any person who during the preceding three years has tanned, or who during the operation of this order tans, more than 100 cattle hides during any one calendar month either for his own account or on contract for others.

(2) "Cattle hides" means the hides or skins of bulls, steers, cows, and buffaloes, whether native or branded, foreign or domestic, including calf and kip skins (but excluding slunks).

(3) "Military order" means an order for leather to be delivered to, or for the account of, the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for leather to be physically incorporated into products to be so delivered.

(4) "Manufacturer" means any person engaged in the business of making cattle hide leather products, except a person primarily engaged in repairing such products for non-industrial consumers.

(c) *Restrictions on harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather.* Effective April 1, 1943, no tanner shall fill or contract to fill any order (whether or not bearing a preference rating) for any harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather in excess of the monthly or other quota and delivery schedule fixed for such tanner from time to time by the Director General for Operations pursuant to application on Report Form PD-772.

(d) *Prohibition against blackening of harness leather.* No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(e) *Restrictions on processing and disposition of leather.* (1) No tanner shall process cattle hides in a manner contrary to any order issued by the Director General for Operations pursuant to this paragraph, directing the production of specific types of leather meeting military or other designated specifications.

(2) No tanner shall sell or deliver leather contrary to any order of the Director General for Operations issued pursuant to this paragraph restricting the sale or delivery of leather meeting designated military specifications.

(3) No tanner shall produce any bag, case, or strap leather from cattle hides of qualities meeting Federal Specifications KK-L-151a, KK-L-166 or KK-L-271a unless the hides are split in a manner to yield—

(i) Grains of the weights required to meet his unfilled military orders, or

(ii) Grains of the maximum weights obtainable, provided that this restriction shall not require the production of grains in excess of eight ounces.

(f) *Restrictions on the use of cattle hide leather in manufacturing.* (1) No manufacturer shall incorporate any cattle hide leather in any product not listed in Schedule A hereof, except as provided in paragraph (f) (2).

(2) The restrictions of paragraph (f) (1) shall not apply to products manufactured:

(i) From cattle hide leather ordered by the manufacturer prior to February 17, 1943 and delivered to him prior to April 1, 1943, provided the products are completely fabricated before June 1, 1943.

(ii) From leather of the following types if such leather is not suitable for military orders or for any product listed in Schedule A:

Vegetable tanned cattle hide leather under three and one-half ounces in weight other than calf or kip;

Upholstery leather buffings;  
Cattle hide leather scrap.

(iii) From cattle hide leather not suitable for any product listed in Schedule A if specifically authorized by the Director General for Operations. Any tanner or manufacturer may apply by letter once a month for relief under this paragraph, stating why such relief is necessary, the customers to whom he intends to sell and the proposed uses of such leather.

(iv) To fill military orders.

(3) No manufacturer shall use:

(i) Rough sole leather under 12 iron for any purpose other than the manufacture or repair of footwear.

(ii) Rough sole leather 12 iron or heavier for any purpose other than the manufacture or repair of footwear, or for round belting.

(iii) Rough or curried belting leather for any purpose other than transmission belts, hydraulic, packing, mechanical, or textile leathers: *Provided, however, That this restriction shall not apply to slabs cut from the portion of the butt bend or single bend beginning at the edge from which the belly was removed and not exceeding twelve inches in width at the widest point.*

(iv) Rough shoulders cut from belting or sole leather hides for any purpose other than belting, hydraulic, packing, mechanical or textile leathers.

(4) The restrictions of paragraphs (f) (3) (i), (ii) and (iv) shall not apply to military orders.

(g) No tanner or processor shall sell or deliver any cattle hide leather if he knows or has reason to believe that such leather will be used in violation of this order.

(h) Notwithstanding the provisions of Priorities Regulation No. 3, no preference rating applied to the delivery of clothing, gloves, shoes or other wearing apparel shall be extended to obtain leather to be incorporated in such products, except to fill military orders.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Reference M-273.

(k) *Reports.* Tanners of cattle side upper leather shall file monthly reports of their operations on Form PD-770. Tanners of calf and kip leather shall file monthly reports of their operations on Form PD-778. Tanners of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather shall file reports of their operations on Form PD-772 on or before the 10th day of each month commencing with the month of March, 1943. In addition, all persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of February 1943.

CURTIS E. CALDER,  
Director General for Operations.

#### SCHEDULE A

Footwear.

Transmission belts.

Hydraulic, packing and mechanical leather products.

Leather products for textile equipment.

Harness, horse collars, and saddlery for police, farm and industrial use.

Trusses.

Surgical supports.

Artificial limbs.

Orthopedic products including arch supports.

Cattle and drovers' whips and quirts.

Belt laces and thongs.

Cap visors.

Divers' equipment.

Motorcycle saddles.

Sheaths for industrial knives.

Work chaps.

Work gloves.

Work aprons.

Garments for heavy duty workers, provided made from leather produced unavoidably in tanning or cutting for specific military orders, but rejected as not meeting military specifications.

Heavy duty work belts.

Industrial safety clothing and equipment only to the extent essential for safety and protection in the performance of the workers' duties.

Furniture leather essential for repair and maintenance of transportation equipment, office and commercial furniture.

Athletic goods except golf bags.

Leather puttees for peace officers, transportation and industrial workers.

## FEDERAL REGISTER, Thursday, February 18, 1943

## SCHEDULE A—Continued

Rifle scabbards, pistol holsters, pistol belts for peace officers, guards, cowboys.  
Luggage handles and attaching pieces, welts, bindings and corners.  
Rawhide hammers and hammer faces.

[F. R. Doc. 43-2603; Filed, February 17, 1943; 11:19 a. m.]

## Chapter XI—Office of Price Administration

## PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A, Corr. to Amendment 10<sup>1</sup>]

## TIRES, TUBES, RECAPPING AND CAMELBACK

The designation § 1315.602 (f) is corrected to read § 1315.602 (h).

(Pub. Law No. 67, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2571; Filed, February 16, 1943; 2:26 p. m.]

## PART 1340—FUEL

[RPS 88,<sup>2</sup> Amendment 72]

## PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1340.159 (c) (3), subdivision (ix) is amended to read as set forth below:

§ 1340.159 Appendix A: Maximum prices for petroleum and petroleum products. \* \* \*

(c) Specific prices. \* \* \*

(3) Distillate fuel oils. \* \* \*

(ix) Lower peninsula of Michigan.

(a) The maximum tank wagon prices for prime white distillate, range oil, also known as stove oil or heater oil, and Nos. 1, 2 and 3 fuel oil at all points in the lower peninsula of Michigan, except in the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, shall be .4 of a cent per gallon above the maximum prices thereof determined under the provisions of this price schedule which would otherwise be applicable.

(b) In the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, in the State of Michigan, the maximum tank wagon prices for the

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839.

<sup>2</sup> 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799.

petroleum products mentioned below shall be as follows:

	Cents per gallon
Kerosene	9.7
Range oil, also known as stove oil or heater oil:	
In quantities of 25 gallons or over	7.9
In quantities of less than 25 gallons	8.9
Prime white distillate and Nos. 1 and 2 fuel oil:	
In quantities of 100 gallons or over	7.4
In quantities of less than 100 gallons	8.4
No. 3 fuel oil:	
In quantities of 100 gallons or over	6.9
In quantities of less than 100 gallons	7.9

§ 1340.158a Effective dates of amendments. \* \* \*

(uuu) Amendment No. 72 (§ 1340.159 (c) (3) (ix)) to Revised Price Schedule No. 88 shall become effective 22d day of February, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2573; Filed, February 16, 1943; 2:26 p. m.]

## PART 1340—FUEL

[MPR 137,<sup>1</sup> Amendment 22]

## PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1340.90 (a), subparagraph (12) is amended, in § 1340.91, paragraph (h) is amended, and a new paragraph (o) is added, as set forth below:

§ 1340.90 Definitions. (a) \* \* \*

(12) "Petroleum products" means motor fuel as defined in § 1340.90 (a) (2), kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, cleaner's or other naphthas, motor lubricating oil, and solvents, mineral spirits and all distillate fuel oils and other petroleum fractions when sold as anti-freeze preparations.

§ 1340.91 Appendix A: Maximum prices for petroleum products sold at retail establishments. \* \* \*

(h) Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, prime white distillate, Nos. 1 and 2 fuel oil and diesel fuel oil for sellers at retail establishments in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina,

<sup>1</sup> 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799.

South Dakota, Vermont, Virginia, West Virginia, Wisconsin and in the District of Columbia shall be .3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern, except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

\* \* \* \* \*

(o) Within the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne in the State of Michigan the maximum prices for sellers at retail establishments of kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, also known as stove oil or heater oil, shall be as follows:

	Cents per gallon
In the case of kerosene	14.2
In the case of range oil, also known as stove oil or heater oil	11.2
In the case of prime white distillate and Nos. 1 and 2 fuel oil	10.7

§ 1340.93a Effective dates of amendments. \* \* \*

(x) Amendment No. 22 (§ 1340.90 (a) (12); 1340.91 (h) and (o)) to Maximum Price Regulation No. 137 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2572; Filed, February 16, 1943; 2:25 p. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Fourth Rev. Zoning Order 1 under Rationing Order 3<sup>1</sup>]

## SUGAR RATIONING REGULATIONS

## Order Establishing Zones

Pursuant to § 1407.168, the Third Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 Establishment of zones; authorization of certain deliveries, shipments and transfers. (a) The following zones are hereby established:

Zone 1 shall include the States of Maine, New Hampshire and Rhode Island; and Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester Counties in the State of Massachusetts.

Zone 1-A shall include the State of Vermont and that part of the State of Massachusetts not included in Zone 1.

Zone 2 shall include the States of Connecticut and New York; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex and Union Counties in the State of New Jersey.

Zone 3 shall include the State of Delaware; that part of the State of New Jersey not included in Zone 2; and all of the State of

<sup>1</sup> 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288.

Pennsylvania except Adams, Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cumberland, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Lawrence, Mifflin, Perry, Somerset, Washington, Westmoreland, and York Counties.

Zone 3-A shall include that part of the State of Pennsylvania not included in Zone 3.

Zone 4 shall include the State of Maryland; the District of Columbia; Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral and Morgan Counties in the State of West Virginia; and all points in the State of Virginia not included in Zone 5.

Zone 5 shall include all points in the State of West Virginia not included in Zone 4; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, and the independent cities of Bristol, Buena Vista, Clifton Forge, Danville, Lynchburg, Martinsville, Radford, Roanoke, and Staunton in the State of Virginia; Athens, Belmont, Fairfield, Gallia, Guernsey, Harrison, Hocking, Jackson, Jefferson, Licking, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Vinton and Washington Counties in the State of Ohio; Bell, Breathitt, Floyd, Harlan, Johnson, Knott, Lawrence, Leslie, Letcher, Magoffin, Martin, Perry and Pike Counties in the State of Kentucky; Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Meigs, Monroe, Polk, Rhea, Roane, Sevier, Sullivan, Unicoi, Union, and Washington Counties in the State of Tennessee; and all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland.

Zone 6 shall include the States of South Carolina, Georgia and North Carolina except all points in the State of North Carolina included in Zone 5.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Louisiana and Mississippi; that part of the State of Florida which lies west of the Apalachicola River; those parts of the States of Kentucky and Tennessee not included in Zone 5; Adams, Brown, Butler, Clark, Clermont, Clinton, Fayette, Franklin, Greene, Hamilton, Highland, Lawrence, Madison, Montgomery, Pickaway, Pike, Preble, Ross, Scioto and Warren Counties in the State of Ohio; Bartholomew, Brown, Clark, Clay, Crawford, Daviess, Dearborn, Decatur, Dubois, Fayette, Floyd, Franklin, Gibson, Greene, Hancock, Harrison, Hendricks, Henry, Jackson, Jefferson, Jennings, Johnson, Knox, Lawrence, Marion, Martin, Monroe, Morgan, Ohio, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Ripley, Rush, Scott, Shelby, Spencer, Sullivan, Switzerland, Union, Vanderburgh, Vermillion, Vigo, Warrick, Washington and Wayne Counties in the State of Indiana; Dunklin, Mississippi, New Madrid, Pemiscot and Scott Counties in the State of Missouri; and Alexander, Gallatin, Hardin, Massac, Pope, Pulaski and White Counties in the State of Illinois.

Zone 9 shall include all points in the State of Texas where the base rate is 35 cents or less.

Zone 10 shall include the lower peninsula of the State of Michigan.

Zone 11 shall include that part of the State of Ohio not included in Zones 5 and 8; and all points in the State of Indiana not included in Zone 8 where the base rate is based on shipments from Baltimore, Maryland.

Zone 12 shall include all of the continental United States not included in Zones 1 to 11 inclusive.

(b) "Base rate" as used herein, refers to the lowest published refiner's base rate in effect on the date of issuance of this Fourth Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped or transferred as follows:

(1) From Zone 1 to any point in Zone 1-A.

(2) From Zone 3 to any point in Zone 3-A.

(3) From Zone 4 to any point in Zone 3-A.

(4) From Zone 12 to any point in Zones 9 or 11.

(d) Confectioners' sugar in bulk may be delivered, shipped or transferred from Zone 4 to any point in Zone 5 except that part of Tennessee located in Zone 5 and from Zone 6 to that part of Tennessee located in Zone 5 and any point in Zone 7.

(e) Any carrier who has, prior to the effective date of this Fourth Revised Zoning Order No. 1, accepted sugar for a delivery, shipment or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment or transfer after the effective date of this Fourth Revised Zoning Order No. 1.

This Revised Zoning Order shall become effective February 16, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; § 1407.168 of Rationing Order No. 3)

Issued this 16th day of February 1943.

HAROLD B. ROWE,  
Director, Food Rationing Division.

[F. R. Doc. 43-2576; Filed, February 16, 1943;  
2:32 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,<sup>1</sup> Amendment 40]

##### SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 1407.69 is amended as set forth below:

##### Consumers

§ 1407.69 Issuance of books to consumers having an excess supply of sugar or who have surrendered their books. (a) Every consumer who has been registered but who has not been issued a war ration book by reason of the ownership of an excess sugar supply shall be entitled to receive a war ration book by application to the Board at any time subsequent to the commencement of the latest of the ration periods during which

\*Copies may be obtained from the Office of Price Administration.  
17 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 6084, 6473, 6828, 6937, 5361, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288.

stamps become valid having a weight value equal to the excess sugar supply owned on May 4, 1942, (as adjusted by any reduction authorized by Rationing Order No. 3) by the consumer, if not a member of a family unit, or by all the members of the family unit if the consumer was a member of a family unit on such date. At the time of issuing such war ration books the Board shall detach therefrom stamps in weight value equal to such excess sugar supply and any additional stamps applicable to expired ration periods. The Board shall also detach therefrom stamps required to be detached by Ration Order No. 12.

(b) A registered consumer who has not been issued a book by reason of the ownership of an excess sugar supply, and a consumer whose book has been surrendered pursuant to the provisions of § 1407.71, § 1407.73, or § 1407.74, shall, by application to the Board, be entitled to receive a book containing stamps Nos. 17 to 28, inclusive, except stamps required to be detached by Ration Order No. 12. If such book has been issued, it shall be surrendered to the Board as a condition precedent to the issuance of the consumer's book pursuant to paragraph (a) of this section or to the return of the consumer's book pursuant to the provisions of § 1407.71, § 1407.73, or § 1407.74.

(c) Before returning a book which has been surrendered to the Board, the Board shall detach therefrom stamps applicable to expired ration periods and all stamps required to be detached by Ration Order No. 12.

##### Effective Date

§ 1407.222 Effective dates of amendments. \* \* \*

(o) Amendment No. 40 (§ 1407.69) shall become effective February 22, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. and Supp. Dir. No. 1E)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2574; Filed, February 16, 1943;  
2:25 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,<sup>1</sup> Amendment 41]

##### SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Paragraph (a) of § 1407.68 is amended; paragraph (c) of § 1407.68 is revoked and paragraph (d) of § 1407.68 is redesignated paragraph (c) as set forth below:

##### Consumers

§ 1407.68 Late registration of consumers. (a) A consumer who has not been registered may register and apply for a war ration book at the office of the Board having jurisdiction over the area in which he resides. Such registration shall be made in the same manner and on the same conditions as a registration

made during the registration period, except that the application shall be accompanied by an OPA Form No. R-315 on which the applicant shall state: (1) the names of the consumers on whose behalf the application is filed, their addresses on May 4, 1942, their addresses since that date including their present addresses and the dates during which they lived at each address; (2) that such persons have not been registered and the reasons therefor; and (3) such other facts as the Board may require. There shall be submitted with the application such evidence including affidavits as the Board may require to substantiate such statements. The board may not grant the application until it has taken such action as the Office of Price Administration may direct. The number of stamps to be removed from the war ration book shall be determined on the basis of the sugar supply owned on the 4th day of May, 1942, by the consumer if he was not a member of a family unit on such date, or by the members of the family unit of which he was a member on such date. In every case the stamps for any ration periods which have expired shall be detached from the war ration book issued.

This amendment shall become effective February 22, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2575; Filed, February 16, 1943;  
2:25 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12; Amendment 18]

##### COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

The figure "15" in §§ 1407.952 (h), 1407.957, 1407.970, 1407.975 (b), and 1407.1020 (c) is deleted, and the figure "14" is substituted therefor; paragraph (a) of § 1407.1085 is amended to read as follows; and new paragraph (p) of § 1407.1090a is added as set forth below:

##### Enforcement

§ 1407.1085 Removal of coffee stamps from war ration books of persons under 14 years old. (a) Notwithstanding anything to the contrary contained in Ration Order No. 12, where the age shown on any War Ration Book One is under 14 years, all coffee stamps shall be removed therefrom at the time War Ration Book Two is issued. For every coffee stamp missing from such a War Ration Book One, one coffee stamp shall be removed from the War Ration Book One of the parent, guardian, or other adult per-

son in whose household the minor lives and in whose custody his War Ration Book One has been kept. However, the board may waive this requirement if it finds that the coffee stamps are missing because they were removed prior to issuance of the war ration book or were removed by misunderstanding or by accident at any other time, and that they were not used to acquire coffee. The board shall destroy all coffee stamps it detaches from war ration books pursuant to this paragraph.

##### Effective Date

§ 1407.1090a Effective dates of amendments. \*

(p) Amendment No. 18 (§§ 1407.952 (h); 1407.957; 1407.970; 1407.975 (b); 1407.1020 (c); 1407.1085; and 1407.1090a (p)) to Ration Order No. 12 shall become effective February 20, 1943.

(Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2577; Filed, February 16, 1943;  
2:26 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12; Amendment 19]

##### COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Paragraphs (a) and (c) of § 1407.970 are amended to read as follows and paragraph (q) of § 1407.1090a is added as set forth below:

##### Consumers

§ 1407.970 Individuals not possessing war ration books. (a) Any individual who registered as a consumer pursuant to Rationing Order No. 3 and who either (1) did not obtain a war ration book by virtue of the provisions of Rationing Order No. 3 or (2) surrendered his war ration book thereafter to the board pursuant to § 1407.71, 1407.73, or 1407.74 of Rationing Order No. 3, may, upon applying therefor to the board receive a war ration book containing stamps Nos. 17 to 28, inclusive, together with any other stamps to which such individual may be entitled pursuant to Rationing Order No. 3: *Provided, however, That coffee stamps for any ration periods which have expired shall be detached from the war ration book issued to any such individual whose age, as entered in said war ration book, is 15 years or more.*

(c) Any individual whose war ration book does not contain stamps other than stamps Nos. 17 to 28, and who under the provisions of Rationing Order No. 3 subsequently becomes entitled to any stamps numbered 16 or less may exchange his war ration book at the board for a new

war ration book. Before issuing the new war ration book, the board shall detach all stamps required to be detached by Rationing Order No. 3, the coffee stamps corresponding to any coffee stamp which had been removed from the surrendered war ration book, and the coffee stamps for ration periods which have expired: *Provided, however, That such coffee stamps shall not be detached from the war ration book issued to any individual whose age as entered therein is less than 15 years.*

##### Effective Date

§ 1407.1090a. Effective dates of amendments. \*

(q) Amendment No. 19 (§§ 1407.970 (a) and (c) and 1407.1090a (q)) to Ration Order No. 12 shall become effective February 22, 1943.

(Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2578; Filed, February 16, 1943;  
2:25 p. m.]

#### PART 1427—MAGNESIUM

[Correction to MPR 314<sup>1</sup>]

##### MAGNESIUM AND MAGNESIUM ALLOY INGOT

In the table of maximum base prices for magnesium and magnesium alloy ingot appearing in § 1427.51 (a), the line "ASTM B80-41T No. 11" is corrected to read "ASTM B93-41T No. 11", and the line "ASTM B94-40T No. 13" is corrected to read "ASTM B93-41T No. 13".

§ 1427.59a Effective dates of amendments. \*

(b) Correction (§ 1427.51 (a)) to Maximum Price Regulation No. 314 shall be effective as of February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2579; Filed, February 16, 1943;  
2:26 p. m.]

#### PART 1438—NONMETALLIC MINERALS

[MPR 327]

##### CERTAIN NONMETALLIC MINERALS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for certain nonmetallic minerals by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.\* In the judgment of the Price Administrator the maximum prices

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1286, 1316, 1366, 1631.

<sup>1</sup> 8 F.R. 1367.

established by this Maximum Price Regulation No. 327 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Administration, Maximum Price Regulation No. 327, is hereby issued.

## Sec.

1438.1 Commodities subject to this Maximum Price Regulation 327.  
 1438.2 Maximum prices for commodities listed in § 1438.1.  
 1438.3 Less than maximum prices.  
 1438.4 Packaging and transportation charges and practices.  
 1438.5 Import sales.  
 1438.6 Export sales.  
 1438.7 Idle or frozen materials.  
 1438.8 Adjustable pricing.  
 1438.9 Evasion.  
 1438.10 Records and reports.  
 1438.11 Enforcement.  
 1438.12 Applications for adjustment and petitions for amendment.  
 1438.13 Applicability of this Maximum Price Regulation 327.  
 1438.14 Effective date.

AUTHORITY: §§ 1438.1 to 1438.14, inclusive, issued pursuant to Public Laws 421 and 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871.

§ 1438.1 Commodities subject to this Maximum Price Regulation 327. The provisions of this Maximum Price Regulation No. 327 apply to the nonmetallic minerals set forth in the following list whether in ore, concentrate, ground, meshed, expanded, or other form, quality or state. For the purposes of this Maximum Price Regulation No. 327 each form, quality or state of any such minerals shall be considered a distinct commodity.

Agate	Ilmenite
Andalusite	Industrial Diamonds
Aplitite	Kaolin
Asbestos	Kieselguhr
Barite	Kyanite
Bentonite	Nepheline Syenite
Celestite	Olivine
Corundum	Pumice
Cryolite	Pumicite
Diatomaceous Earth	Quartz Pebbles
Dumortierite	Roofing Granules
Emery	Rutile
Feldspar	Sepiolite
Flint	Sillimanite
Fuller's Earth	Strontianite
Garnet	Topaz
Gilsonite	Tripoli
Graphite	Vermiculite
Greensand	Witherite
Iceland Spar	

§ 1438.2 Maximum prices for commodities listed in § 1438.1—(a) Maximum prices, except as provided in paragraph (b) of this § 1438.2. On and after February 22, 1943, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business from any seller, any of the commodities listed in § 1438.1, at a price in excess of the fol-

lowing maximum prices, and no person shall agree, offer, solicit, or attempt to do so.

(1) The seller's maximum price shall be the highest net price charged by him for the same commodity on a delivery made during March, 1942, to a purchaser of the same class.

(2) If no such delivery was made by the seller during March, 1942, the seller's maximum price shall be his highest net offering price for the same commodity in March, 1942, to a purchaser of the same class.

(3) Whenever any seller is unable to determine his maximum price under paragraphs (a) (1) and (a) (2) of this section for any commodity covered by this regulation (each form, quality or state of each mineral being considered a distinct commodity), his maximum price shall be determined as follows:

(i) If his maximum price was determined prior to February 22, 1943, in accordance with the provisions of the General Maximum Price Regulation, that price shall be the seller's maximum price for that commodity.

(ii) In all other cases the seller shall determine the net price at which he expects to sell his commodity and shall then file such net price with the Office of Price Administration for approval as his maximum price. Such proposed selling price shall be filed with the Office of Price Administration, Second and D Streets, S. W., Washington, D. C., within fifteen days after the first sale of the commodity that is made on or after February 22, 1943.

Pending action by the Price Administrator of prices submitted for approval under this paragraph (a) (3) (ii), any such seller may sell, deliver, exchange, or offer to sell, deliver or exchange, and any person may buy, offer to buy or receive from such seller any such commodity at the price submitted for approval. If, however, the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator shall approve, and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the order informing the seller of such revision. In the absence of notice to the contrary from the Office of Price Administration within thirty days after a seller files such a selling price with the Office of Price Administration, the price filed shall stand approved and shall be the maximum price applicable.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances, and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, a statement showing how the proposed price was determined, and a description of the use or uses for which the commodity is to be produced.

(b) Maximum prices for certain commodities sold by the American Abrasive Company, Kyanite Products Corporation,

the Metals Reserve Company, the Minnesota Mining & Manufacturing Company, the Pan-Chemical Company, the Western Feldspar Milling Company, and the Yancey Cyanite Co. (1) The American Abrasive Company, Westfield, Massachusetts, may sell and deliver, and any person may buy and receive from the American Abrasive Company, optical grades of corundum grain of sizes #60 to #250, inclusive, at prices not in excess of 9.75¢ per pound, f. o. b. the seller's mill.

(2) Kyanite Products Corporation, 11 Broadway, New York, New York, may sell and deliver, and any person may buy and receive from Kyanite Products Corporation, the following grades of Kyanite at prices not higher than those set forth below:

## STANDARD KYANITE

[Net ton prices f. o. b. Cullen (Vgn. R.R.) or Pamplin (N & W R.R.) Va.]

	Raw	Calcined (millite)
35 mesh:		
Less than carload lots, 100# bags	\$22.50	\$27.50
Carloads, 100# bags	21.50	26.50
Carloads in bulk	19.00	
48 or 100 mesh:		
Less than carload lots, 100# bags	24.50	29.50
Carloads, 100# bags	23.50	28.50
200 mesh:		
Less than carload lots, 100# bags	27.50	32.50
Carloads, 100# bags	26.50	31.50
325 mesh:		
Less than carload lots, 100# bags	37.50	42.50
Carloads, 100# bags	36.50	41.50

(3) The Metals Reserve Company may sell and deliver to the American Abrasive Company, Westfield, Massachusetts, and the American Abrasive Company may buy from the Metals Reserve Company, South African crystal corundum ore and Soutl. African boulder corundum ore at maximum prices of \$107 and \$74 per short ton, respectively, delivered at the purchaser's plant at Westfield, Massachusetts.

(4) The Minnesota Mining & Manufacturing Company, St. Paul, Minnesota, may sell and deliver, and any person may buy and receive from the Minnesota Mining & Manufacturing Company, green roofing granules known as No. 35, No. 350, and No. 359 at a price not higher than \$15.00 per ton.

(5) The Pan-Chemical Company, 205 First National Bank Building, Pomona, California, may sell and deliver, and any person may buy and receive from the Pan-Chemical Company, celestite having a minimum content of 90% strontium sulphate and a maximum content of 4½% calcium sulphate at a price not in excess of \$18.67 per short ton, f. o. b. Westmorland, California.

(6) (i) The Western Feldspar Milling Company, 1333 Maple Street, Denver, Colorado, may sell and deliver, and any person may buy and receive from the Western Feldspar Milling Company, feldspar at a price not higher than that set forth below:

Grade:	F. o. b. car, Denver, Colorado, Per ton
Glass makers feldspar	\$7.00
140 mesh pottery spar	8.50
140 mesh enamel spar	8.50
200 mesh pottery spar	8.50
200 mesh enamel spar	8.50
80 mesh spar sold locally	10.50

(ii) All discounts, allowances and trade practices in effect with respect to the above-listed commodity during March, 1942, by the seller shall remain in effect.

(7) The Yancey Cyanite Co., Asheville, North Carolina, may sell and deliver, and any person may buy and receive from the Yancey Cyanite Company, glass grade kyanite packed in bags at a price not in excess of \$40 a ton f. o. b. the seller's railroad shipping point.

(c) *Definitions.* (1) When used in this Maximum Price Regulation No. 327, the term:

(i) "Net price" means the price actually charged by the seller; i. e., the list or quoted price less all discounts, allowances, and differentials.

(ii) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner. But "offering price" shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price. "Net offering price" means offering price less all discounts, allowances, and differentials.

(iii) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(iv) "Purchaser of the same class" refers to the practice adopted by the seller of setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale. Customary differentials in discounts on price list goods shall be among the criteria which establish differences among classes of purchasers.

(v) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser," shall be construed accordingly.

(2) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1438.3 *Less than maximum prices.* Lower prices than those set forth in § 1438.2 may be charged, demanded, paid or offered.

§ 1438.4 *Packaging and transportation charges and practices.* A seller may not change the packaging and transportation charges and practices which he had in effect during March, 1942, if such change would result in higher prices to his customers.

§ 1438.5 *Import sales.* The maximum prices established by Revised Supplemen-

tary Regulation No. 12<sup>2</sup> to the General Maximum Price Regulation<sup>3</sup> issued by the Office of Price Administration apply to all commodities listed in § 1438.1 imported into the forty-eight states of the United States and the District of Columbia.

§ 1438.6 *Export sales.* Export sales of the commodities listed in § 1438.1 shall be subject to the provisions of Revised Maximum Export Price Regulation<sup>4</sup> issued by the Office of Price Administration.

§ 1438.7 *Idle or frozen materials.* The maximum price at which any person may sell or deliver any idle or frozen commodities listed in § 1438.1 shall be determined in accordance with the provisions of Maximum Price Regulation No. 204<sup>5</sup> on Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

§ 1438.8 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1438.9 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 327 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to the commodities listed in § 1438.1, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1438.10 *Records and reports.* (a) Every person making sales or deliveries of the commodities listed in § 1438.1, and every person making purchases or accepting delivery of the commodities listed in § 1438.1 in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each such sale, purchase, or delivery showing the date thereof, the name of the purchaser or seller, the quantity and kind of commodity sold, purchased, or delivered, and the price received or paid therefor, and each such seller shall keep a record of all discounts, differentials, and allowances which the seller had in effect during March, 1942, with a proper

<sup>2</sup> 7 F.R. 10532; 8 F.R. 611.

<sup>3</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6958, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

<sup>4</sup> 7 F.R. 3096, 3824, 4294, 4541, 5059, 7242, 8829, 9000, 10530.

<sup>5</sup> 7 F.R. 6479, 7366, 8948.

identification of each such discount, differential and allowance.

(b) On or before March 10, 1943, every producer shall file with the Office of Price Administration, Washington, D. C., a copy of his current price lists and discount schedules, or other statements setting forth his current selling prices for all classes of buyers, indicating in each instance his maximum price and the manner in which it was determined, unless such producer has already filed such information with that Office. The reports required under this paragraph (b) refer only to domestic transactions. Reports with respect to export prices are governed by the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) Such person shall submit such other reports to the Office of Price Administration, and keep such other records in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require.

§ 1438.11 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 327 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 327, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1438.12 *Applications for adjustment and petitions for amendment—(a) Applications for adjustment.* The following adjustment provisions (subparagraphs (1) and (2)) permit the granting of relief to producers who are unable to maintain or expand their production under their existing maximum prices whenever, under (1), there is a general shortage in the essential supply of the commodity, or, under (2), the loss of the seller's production would result in higher prices to consumers. The extent of relief to be granted under each provision is set forth therein.

(1) Whenever it appears that a shortage exists or threatens to exist in the essential supply of a commodity listed in § 1438.1 and that a producer of such commodity is unable to maintain or expand his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1 or on its own motion, adjust his maximum price or prices by an amount necessary to permit the maintenance or expansion of such production upon a reasonable operating margin. In determining such margin, consideration will be given to such factors as:

(i) Revenue from sales of such commodity and from all other sources, and

(ii) Production, mining, development, milling, processing, and transportation costs, administrative and sales expenses, depreciation and depletion charges, taxes (excluding Federal and State income taxes), and capital investment.

(2) Whenever it appears that the loss of a seller's production of any commodity listed in § 1438.1 would force his customers to resort to higher priced sources of supply and that the seller is unable to maintain his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1 or on its own motion, adjust his maximum price or prices by an amount adequate to cover his operating costs: *Provided, however,* That in no instance will the seller's maximum price be increased to a price in excess of the general level of prices prevailing for alternative sources of the supply of the commodity. The term "operating costs" shall include the cost of labor, maintenance, supplies, power, taxes other than State and Federal income taxes, insurance, workmen's compensation, royalties, and other direct expenses, depreciation and depletion (wherever practicable as determined by the Bureau of Internal Revenue in the computation of the Federal income tax), and reasonable costs of selling and administration.

(3) Before filing an application for adjustment under the provisions of subparagraph (1) and (2), it is suggested that each applicant obtain from the Office of Price Administration, Washington, D. C., a statement of the specific information that will be necessary in order that his application may receive prompt action.

(b) *Petitions for amendment.* Any person seeking amendment of any provisions of this Maximum Price Regulation No. 327 may file a petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1438.13 *Applicability of this Maximum Price Regulation No. 327.* The provisions of this Maximum Price Regulation No. 327 supersede the provisions of the General Maximum Price Regulation and the provisions of all other maximum price regulations with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 327.

§ 1438.14 *Effective date.* This Maximum Price Regulation No. 327 (§§ 1438.1 to 1438.14, inclusive) shall become effective February 22, 1943 for the District of Columbia and the forty-eight states of the United States, and shall become effective April 12, 1943 for the territories and possessions of the United States.

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2580; Filed, February 16, 1943;  
2:25 p. m.]

No. 34—3

PART 1499—COMMODITIES AND SERVICES

[Amendment 113 to Supp. Reg. 14<sup>1</sup>  
to GMPR.<sup>2</sup>]

BREAD AND ROLLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

A new subparagraph (70) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.*

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

\* \* \* \* \*

(70) *Bread and rolls.* (i) Notwithstanding any provision of any regulation or order heretofore issued by the Office of Price Administration to the contrary, no seller of bread or rolls need reduce his previous maximum price thereon by reason of any acts or omissions taken in compliance with any Food Distribution Order issued by the Food Distribution Administration of the United States Department of Agriculture: *Provided,* That any change in weight or in ingredients: (1) which reduces the value of such bread or rolls and (2) which is not specifically required by any such Food Distribution Order, shall require a corresponding change or establishment of a new maximum price for the new product as and in the manner elsewhere and heretofore in this General Maximum Price Regulation provided.

(b) *Effective date of amendment.*

\* \* \*

(111) Amendment No. 113 (§ 1499.73 (a) (70)) to Supplementary Regulation No. 14 to the General Maximum Price Regulation shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2581; Filed, February 16, 1943;  
2:26 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 5456, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6839, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813.

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10165, 10454; 8 F.R. 371, 1204, 1317.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR. 286,<sup>1</sup> Amendment 1]

CERTAIN SAUSAGE PRODUCTS FOR WAR PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

All of § 1364.811 following the words "December 19, 1942" is deleted; § 1364.802 is amended as set forth below:

§ 1364.802 *Maximum prices for certain sausage products sold to war procurement agencies of the United States Government.* The maximum prices on sales to war procurement agencies of certain sausage products produced in accordance with federal specifications, approved by the Federal Specifications Board, for use of agencies of the United States Government shall be computed as provided in this section.

(a) *How to determine the maximum prices.* (1) The maximum price for product sold f. o. b. the point of production shall be the base price specified in paragraph (b) of this section, plus the amount specified in paragraph (c) of this section for the zone in which the product is produced; plus the additions specified in paragraph (d) of this section where applicable;

(2) The maximum price for product sold on any other basis than f. o. b. the point of production shall be the base price specified in paragraph (b) of this section, plus the amount specified in paragraph (c) of this section for the zone in which the product is delivered into the physical possession of the buyer; plus the additions specified in paragraph (d) of this section, where applicable: *Provided,* That if the product is shipped by common carrier from an establishment of the seller located in the zone in which the buyer takes physical possession, the cost of such carriage may be added in lieu of the addition for local delivery provided in subparagraph (1) of paragraph (d).

Product:	Price per hundred weight
Frankfurters, hog casings	\$26.25
Frankfurters, sheep casings	27.75
Frankfurters, skinless	26.25
Bologna	23.00

(c) *Zone differentials.*

Zone 1	\$2.25
Zone 2	1.25
Zone 3	.75
Zone 4	Base
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

(d) *Other additions—(1) Local delivery.* If the delivery of any of the products specified herein is made by a vehicle owned or operated by the seller, the seller may charge for such delivery an amount equivalent to the lowest commercial com-

<sup>1</sup> 7 F.R. 10554.

## FEDERAL REGISTER, Thursday, February 18, 1943

mon carrier rate for such delivery. However, if there is no common carrier service to the buyer's destination, the seller may charge for delivery the actual cost of making the delivery: *Provided, however,* That such delivery charge shall in no event exceed:

\$0.25 per cwt. up to 25 miles.  
\$0.50 per cwt. 26 miles to 150 miles.  
\$0.75 per cwt. 151 miles to 300 miles.

(ii) *Freezing.* For freezing at the request of the buyer the seller may add \$35 per cwt.

(iii) *Packaging for export shipment.* For packing in an export container, United States Government specifications, the seller may add \$.50 per cwt.

This amendment shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2587; Filed, February 16, 1943;  
4:27 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 183;<sup>1</sup> Amendment 19]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Subparagraph (16) is added to paragraph (a) of § 1418.1; subparagraphs (25) and (26) are added to paragraph (a) of § 1418.11; and paragraph (j) is added to § 1418.14.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

(16) On and after February 16, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver and no person shall buy or receive bread in the Territory of Puerto Rico at prices higher than the maximum prices permitted by § 1418.14 (j), and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 183 the term \*

(25) "Bread" means the article of food sold in standard loaves prepared by moistening, kneading and baking meal or flour usually with the addition of yeast or leaven, such as "pan francaise" or "pan de agua" (French bread), "pan de sandwich" (Sandwich bread), and "pan sobado" (Breaked bread (sic)).

(26) "Specialty bread" means raisin bread, cracked wheat bread or any variety of bread, other than "pan francaise", "pan de agua", "pan de sandwich" or "pan sobado", which constituted 10%

or less of the gross sales of the bread produced by the bakery during the month of January, 1943.

§ 1418.14 *Table of maximum prices.*

(j) *Table X: Specific maximum prices for bread.*

(1) The maximum prices for bread sold or delivered in the Territory of Puerto Rico shall be:

At bakery to wholesaler	At bakery to retailers	Delivered to retailers	Delivered to institutional and commercial users	All sales at retail
Price per lb. \$0.0775	Price per lb. \$0.080	Price per lb. \$0.085	Price per lb. \$0.085	Price per lb. \$0.10

For sales of different quantities the maximum price shall be completed proportionately. Maximum prices for specialty bread continue to be governed by the General Maximum Price Regulation.

§ 1418.13a *Effective dates of amendments.*

(s) Amendment No. 19 (§§ 1418.1 (a) (16); 1418.11 (a) (25) (26) and 1418.14 (j)) to Maximum Price Regulation No. 183 shall become effective on February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2586; Filed, February 16, 1943;  
4:27 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288;<sup>1</sup> Amendment 3]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Subparagraphs (2) and (3) are added to § 1418.351 (a); subparagraphs (3), (4) and (5) are added to § 1418.355; paragraph (a) of § 1418.360 is amended; and paragraphs (b) and (c), Tables II and III, are added to § 1418.363.

§ 1418.351 *Maximum prices.* (a)

(2) On and after February 22, 1943, regardless of any contract, agreement, lease or other obligation, or of any price

<sup>1</sup> 7 F.R. 10581, 11012; 8 F.R. 28, 567.

regulation heretofore issued, no person shall sell or deliver evaporated milk and no person shall buy or receive evaporated milk in the Territory of Alaska at prices higher than the maximum prices set forth in § 1418.363, Table II; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(3) On and after February 22, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver butter and no person shall buy or receive butter in the Territory of Alaska at prices higher than the maximum prices set forth in § 1418.363, Table III; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1418.355 *Definitions.* (a) \*

(3) "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, 5th Edition, 1940.

(4) "Score or grade of butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January 1943 by the United States Department of Agriculture and effective February 1, 1943.

(5) "Bulk" and "print" means the form in which butter is sold and delivered.

§ 1418.360 *Relation to other regulations.* (a) Notwithstanding the provisions of Maximum Price Regulation No. 194, maximum prices for the commodities enumerated in the Tables set forth in § 1418.363 of this Maximum Price Regulation No. 288 shall be established by this Maximum Price Regulation No. 288. Maximum prices for commodities not enumerated in the tables set forth in § 1418.363 of this Maximum Price Regulation No. 288 are governed by Maximum Price Regulation No. 194, the General Maximum Price Regulation, or other price regulations applicable in the Territory of Alaska.

§ 1418.363 *Tables of maximum prices.*

(b) *Table II: Maximum retail prices for evaporated milk.* (1) The maximum prices for all grades of evaporated milk sold at retail in the Territory of Alaska shall be:

	14½-ounce can		6-ounce can		8-pound can (price per can)
	Price per can	Price for 2 cans	Price per can	Price for 2 cans	
Ketchikan.....					
Wrangell.....					
Petersburg.....					
Juneau.....					
Skagway.....					
Sitka.....					
Douglas.....					
Haines.....					
	\$0.11	\$0.22	\$0.06	\$0.11	\$0.90

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812; 8 F.R. 149, 324, 542, 978, 1589.

	14½-ounce can		6-ounce can		8-pound can (price per cans)
	Price per can	Price for 2 cans	Price per can	Price for 2 cans	
Cordova					
Valdez	\$0.12	\$0.23	\$0.06	\$0.12	\$0.95
Seward					
Kodiak					
Anchorage					
Palmer	.13	.25	.07	.13	1.05
Points on Alaskan Railroad south of Curry					
Curry and all points north of Curry on Alaskan Railroad	.14	.28	.07	.14	1.20
Nome	.13	.25	.06	.12	1.00

(2) The maximum retail price for all grades of evaporated milk sold in places other than those enumerated above shall continue to be established by Maximum Price Regulation No. 194, if imported, and by the General Maximum Price Regulation or other applicable price reg-

ulation if produced in the Territory of Alaska.

(c) *Table III: Maximum retail prices for butter.* (1) The maximum prices for print butter in cartons sold at retail in the Territory of Alaska shall be:

	No grade (per pound)	U. S. cooking grade (price per pound)	88- and 89-score butter (price per pound)	90-, 91-, 92-, 93- score butter (price per pound)	Brine butter (price per pound)
Ketchikan					
Wrangell					
Petersburg					
Juneau					
Skagway					
Sitka					
Douglas					
Haines					
Cordova					
Valdez					
Seward					
Kodiak					
Anchorage					
Palmer					
Points on Alaskan Railroad south of Curry					
Curry and all points north of Curry on Alaska Railroad					
Nome					

(2) For sales of fractions of a pound, the maximum price shall be proportionately computed, except where print butter is sold in pound packages containing individually wrapped quarter pounds the maximum retail price may be increased by one cent per pound.

(3) The maximum retail price for print butter parchment wrapped shall be computed by deducting one cent per pound from the prices set forth in the table above.

(4) The maximum retail price for bulk butter shall be computed by deducting two cents per pound from the prices set forth in the table above.

(5) The maximum retail price for butter sold in one pound tin containers may be increased by nine cents per pound, and for butter sold in two pound tin containers may be increased by 5½ cents per pound.

(6) The maximum retail price for all grades of butter sold in places other than those enumerated above shall continue to be established by Maximum Price Regulation No. 194, if imported, and by the General Maximum Price Regulation if produced in the Territory of Alaska.

§ 1418.362a. *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§ 1418.351 (a) (2) and (3) 1418.355 (a) (3), (4) and (5), 1418.360 (a) and 1418.363 (b) and (c)) to Maximum Price Regulation No.

288 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2585; Filed, February 16, 1943;  
4:27 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 190 Under § 1499.3  
(b) of GMPR]

PENNSYLVANIA SALT MFG. CO. AND CHIPMAN CHEMICAL CO., INC.

##### Correction

In § 1499.1426 (a) (3) of the document appearing on page 1892 of the issue for Friday, February 12, 1943, the subparagraph should read: "(3) *Definitions.* (i) 'Contract sale' \* \* \*."

#### PART 1499—COMMODITIES AND SERVICES

[Order 277 Under § 1499.3 (b) of GMPR]

BROOKLYN COOPERAGE CO.

##### Correction

In Table I of the document appearing on page 1976 of the issue for Saturday,

February 13, 1943, the entry in the third column for Oak Petrolatum should be "—.45". In Table 3 appearing on page 1977 the second entry listed under "18 ga. Head Hoops" should read "1½" width."

#### TITLE 46—SHIPPING

##### Chapter II—Coast Guard: Inspection and Navigation

###### PART 136—“A” MARINE INVESTIGATION BOARD RULES

###### TEMPORARY WARTIME RULES GOVERNING INVESTIGATIONS OF ACCIDENTS AND CASUALTIES<sup>1</sup>

By virtue of the authority vested in me by section 4450, R.S., as amended (46 U.S.C. 239), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the temporary wartime rules and regulations governing investigations of accidents and casualties are amended as follows:

Section 136.103 (a) is amended by changing the last two sentences thereof to read as follows:

§ 136.103 *Notice of casualty and voyage records.* (a) \* \* \* The master owner, charterer, or agent of any vessel involved in a marine casualty, in addition to the notice required by this section, shall, as soon as practicable after the occurrence of the casualty, prepare and file an original and three copies of a report of such casualty on Coast Guard Form N C G 2692 with the District Coast Guard Officer of the district in which the casualty occurred or in which the vessel first arrives after such casualty. A report of personal accident not involving death shall be made on Coast Guard Form N C G 924 (e).

Section 136.104 is amended to read as follows:

§ 136.104 *Preliminary investigations.* (a) As soon as possible after receiving notice of a marine casualty, other than a casualty resulting from enemy action, the District Coast Guard Officer in whose jurisdiction the casualty occurs, or in cases involving casualties occurring on the high seas, to whose jurisdiction the personnel of the vessel or vessels involved first return shall cause a preliminary investigation of such casualty to be made.

(b) The preliminary investigations will be conducted by examining officers designated by the District Coast Guard Officer. Such examining officers shall have the power to administer oaths, subpoena witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents, and other records.

(c) At the conclusion of the investigation, the District Coast Guard Officer shall submit to Headquarters a full and complete report of all the facts and circumstances relating to the casualty or accident together with such recom-

<sup>1</sup> 7 F.R. 6778, 10866; 8 F.R. 550.

mendations for subsequent action as he deems proper. This report is in addition to action taken under § 136.106 to suspend or revoke licenses or certificates.

(d) The District Coast Guard Officer shall designate examining officers who shall conduct preliminary investigations of complaints made, in any case not involving a marine casualty or accident, against a licensed officer or holder of a certificate of service or efficiency charging him with any act of incompetency or misconduct while acting under the authority of his license or certificate, or with any act in violation of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228-234, 239, 240, 361, 362, 364, 371-373, 375-382, 384, 385, 391, 391a, 392, 393, 399, 400, 402-416, 435-440, 451-453, 460-463, 464, 467, 470-481, 482 or 489-498 of Title 46 of the United States Code or of any regulations issued thereunder for the purpose of determining whether reasonable basis exists for the institution of proceedings for the revocation or suspension of the license or certificate. In the conduct of preliminary investigations hereunder, such officers shall have the power to administer oaths, subpoena witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents, and other records.

(e) In every preliminary investigation of a complaint as provided in paragraph (d) of this section, the examining officer conducting such investigation shall, where the licensed officer or holder of a certificate of service or efficiency whose conduct is being investigated is available, advise such person informally of the substance of the complaint against him and afford him an opportunity at that time to make such comment in refutation of such complaint as he may desire.

Section 136.106 is amended to read as follows:

**§ 136.106 Suspension or revocation proceedings.** (a) Suspension or revocation proceedings shall be instituted by an examining officer in any case in which it appears, as a result of any preliminary investigation made under paragraphs (a) or (d) of § 136.104, or otherwise, that there are reasonable grounds to believe that a licensed officer or holder of a certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfulness or has endangered life or has wilfully violated any of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228-234, 239, 240, 361, 362, 364, 371-373, 375-382, 384, 385, 391, 391a, 392, 393, 399, 400, 402-416, 435-440, 451-453, 460-463, 464, 467, 470-481, 482, or 489-498 of Title 46 of the United States Code or any of the regulations issued thereunder.

(b) To institute such proceedings the examining officer shall prepare charges and specifications against such person, fix the time and place of hearing, summon the person charged and subpoena witnesses, and transmit the case for hearing by a hearing officer.

(c) The District Coast Guard Officer shall designate hearing officers who will conduct the hearings provided for in this section. No case shall be heard by any

officer or employee who participated in the preliminary investigation thereof.

(d) A notice of the time and place of hearing and a copy of the charges and specifications shall be served upon the person charged either by personal service or by registered mail with return receipt required, sufficiently in advance of the time set to give the such person a reasonable opportunity to prepare his defense. When personal service is made upon the person charged, the officer or employee making service shall exhibit the original of the notice to the person charged, read it to such person if he cannot read, and give him a copy thereof and of the charges and specifications.

(e) The hearing officer shall open the hearing at the time and place specified in the notice, administer all necessary oaths, cause a complete record of the proceedings to be kept, regulate and conduct the hearing in such a manner as to bring out all the relevant and material facts, and insure the accused a fair and impartial hearing on the charges made against him. The examining officer shall aid in the orderly presentation of evidence and may examine and cross-examine witnesses and introduce documentary evidence into the record. The person charged shall have the right to have counsel present at the hearing and shall be permitted to call, examine and cross-examine witnesses and to introduce relevant documentary evidence into the record. Any witness may, if he so desires, have personal counsel present during the time he is being examined to advise him as to his rights, privileges, and immunities under the Constitution, but such counsel may not otherwise participate in the hearing.

(f) The hearing officer shall have power either on his own motion or upon the request of the person charged to issue subpoenas summoning witnesses or requiring the production of any relevant books, papers, documents, or other evidence.

(g) In any case in which the person charged, after having been duly served with notice of a hearing fails to appear, a notation to that effect shall be made in the record and the hearing shall proceed.

(h) At the conclusion of the hearing the hearing officer shall make an appropriate decision, based upon the evidence adduced at the hearing as to the guilt or innocence of the person charged. In the event the person charged is found guilty, the hearing officer shall issue and serve upon the accused an appropriate order suspending or revoking his license or certificate. Such order shall be effective immediately, and the license or certificate of service or efficiency so revoked or suspended shall be immediately surrendered. In the absence of appeal as provided in § 136.107, the findings and decision of the hearing officer shall be final and shall be binding on the person charged for all purposes.

Section 136.107 is amended to read as follows:

**§ 136.107 Appeal.** (a) Any person whose license or certificate of service or efficiency is revoked or suspended may, within 30 days after the decision of the

hearing officer, take an appeal to the District Coast Guard Officer of the district in which the hearing was held. Every appeal shall be typewritten or written in a legible hand and shall set forth as briefly as possible the name of the appellant, the nature of the charge, the name of the hearing officer who made the decision, the substance of the decision, and a statement of each separate ground for such appeal.

(b) The District Coast Guard Officer on appeal may affirm, reverse, or modify the decision of the hearing officer or remand the case for further hearing. The District Coast Guard Officer will not consider evidence which is not a part of the record of the hearing and will not consider any ground of appeal which is not specified by the accused. The decision of the District Coast Guard Officer on appeal will be in writing and will contain his findings and conclusions. The decision of the District Coast Guard Officer on appeal shall be final and shall be binding on the parties for all purposes.

(c) A transcript of the record before the hearing officer shall be made available to any person whose license or certificate is revoked or suspended for the purpose of making an appeal pursuant to the provisions of this section.

(d) Any person whose license or certificate is revoked or suspended and who intends to appeal from the decision of revocation or suspension may file with the hearing officer a request for a temporary license or certificate valid during the pendency of the appeal. Such temporary license or certificate may be issued in the discretion of the hearing officer or of the District Coast Guard Officer. Each such temporary license or certificate shall contain such terms and conditions as the issuing officer may prescribe and shall contain a definite expiration date fixed by the issuing officer which date, however, may be extended from time to time by the issuing officer.

Section 136.109 (a) is amended to read as follows:

**§ 136.109 Disclosure of records.** (a) No reports of investigations or records of proceedings or any information relating thereto shall be open to public inspection or otherwise disclosed, except as may be authorized by the Commandant.

(R.S. 4450, as amended 46 U.S.C. 239; E.O. 8976, 9083, 6 F.R. 6441, 7 F.R. 1609)

R. R. WAESCHE,  
Commandant.

FEBRUARY 16, 1943.

[F. R. Doc. 43-2590; Filed, February 17, 1943;  
9:54 a. m.]

### Notices

#### DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

CONSOLIDATED OIL CO., INC., ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Consolidated

Oil Co., Inc., Charles H. Krutkoff, Incorporated, Ridgedale Coal Company, Inc., F. L. Shillington, Harry Wolins-Kolmar Coal Co.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having

been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, *It is so ordered.*

Dated: February 15, 1943.

[SEAL] DAN H. WHEELER,  
Director.

EXHIBIT A  
Registration No. and Name

1802	Consolidated Oil Co., Inc.	1824 12th St., Lynchburg, Va.
5288	Charles H. Krutkoff, Inc.	537 S. Dearborn St., Chicago, Ill.
7714	Ridgedale Coal Co., Inc.	Union Building, Syracuse, N. Y.
8345	F. L. Shillington	Lister Block, James St., N., Hamilton, Ontario, Canada.
9845	Harry Wolins-Kolmar Coal Co.	1156 S. Kolmar Ave., Chicago, Ill.

[F. R. Doc. 43-2593; Filed, February 17, 1943; 10:38 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3758).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certifi-

cates become effective February 18, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

T. J. Jones Company, 381 S. Sherman Street, Wilkes-Barre, Pennsylvania; Miner's lamp holder caps, safety helmets, electric leather battery belts; 2 learners (T); February 18, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Leading Lady Slips Corporation, 400 Walnut Street, Yonkers, New York; Ladies' underwear; 6 learners (T); February 18, 1944.

H. B. Spoot, 12-18 E. Coal Street, Shenandoah, Pennsylvania; Slacks, coveralls, shirts, bathrobes; 10 learners (T); February 18, 1944.

Hosiery Industry

Hosiery Processing Company, Incorporated, Hooker Road, Rossville, Tennessee; Full-fashioned hosiery; 5 percent (T); February 18, 1944.

Millinery Industry

Adler Manufacturing Company, 19 Townsend Street, Port Chester, New York; Millinery novelties; 6 learners (T); August 18, 1943.

Textile Industry

Belmont Cotton Mills Company, S. Lafayette Street, Shelby, North Carolina; Cotton; 3 learners (T); February 18, 1944.

Signed at New York, N. Y., this 16th day of February 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-2595; Filed, February 17, 1943; 11:11 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ROTH TOBACCO COMPANY

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 18, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Roth Tobacco Company, 102 S. Frederick Street, Cape Girardeau, Missouri; Tobacco; 5 learners (T); Twist maker for a learning period of Eight weeks (320) hours at 30¢ per hour until April 29, 1943.

Signed at New York, N. Y., this 16th day of February 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-2594; Filed, February 17, 1943; 11:11 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 661]

Re: Patents of citizens and residents of enemy countries.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all the persons, except Chemical Marketing Company, Inc., to whom reference is made in the column headed "Record owner" in Exhibit A attached hereto and made a part hereof, are citizens and residents of Germany, Hungary, Italy or Japan, and therefore are nationals of said foreign countries;

2. Finding that each such person is the owner of the patent or patents with respect to which such person is listed as record owner in said Exhibit A;

3. Finding that the true owners of the patents described in said Exhibit A with





## FEDERAL REGISTER, Thursday, February 18, 1943

[Vesting Order 721]

PATENT APPLICATIONS OF L. DIKANSKY,  
ET AL.

Re: Patent applications of citizens of occupied, neutral or allied countries residing in enemy or enemy-occupied countries.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, are citizens of the occupied, neutral or allied countries and residents of the enemy or enemy-occupied countries represented by the code numbers set forth after their respective names under the heading "NAT CODE" in said Exhibit A in accordance with the following:

7 represents Belgium.

27 represents France.

38 represents Italy.

49 represents Netherlands.

61 represents Spain.

65 represents Union of Soviet Socialist Republics.

2. Finding, therefore, that such persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A after their respective names in accordance with the aforesaid code;

3. Finding that the persons referred to in paragraph 1 hereof are the owners of the patent applications with respect to which such persons are listed as owners in said Exhibit A, and finding, therefore, that such patent applications are property in which nationals of foreign countries have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the patent applications identified in said Exhibit A, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

## EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Date	Owner	Inventor	Title	Nat Code
229,226	9/9/38	L. Dikansky	L. Dikansky	Devices for producing compensated and regulable oscillations to be applied to vibrating sieves, vibrating selectors, vibrating conveyors and the like.	38 & 65
235,108	10/14/38	W. Diterichs	W. Diterichs	Manufacture of synthetic mineral products.	27 & 65
261,386	3/11/39	S. Loinaz	S. Loinaz	Shaving apparatus	27 & 61
264,270	3/25/39	Arthur Sarti	F. Casanova	Gasoline economizers for combustion engines.	27
275,747	5/25/39	J. Michel	J. Michel	Ball-and-socket joint for control transmissions.	27
279,992	6/19/39	Societe Alliages Autoproteges	L. Canac et al.	Alloy	27
286,744	7/27/39	L. Leizaola	L. Leizaola	Cylinders of internal-combustion engines with combustion-a n d-w h i r l i n g chambers in the pistons.	27 & 61
304,859	11/16/39	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann	P. Petitcolas	Intermediary products dyes derived from same and their manufacturing processes.	27
313,670	1/13/40	S. Yanovsky	S. Yanovsky	Automatic shooting control devices for firearms working on the recoil principle.	7 & 65
324,986	5/13/40	Societe Alliages Autoproteges	L. Canac et al.	Light and ultra-light alloys and the methods of their manufacture.	27
336,019	5/18/40	W. De Garkovenko	W. De Garkovenko	Concentrating device for cartridges and method of construction thereof.	27 & 65
401,009	7/11/41	S. A. des Manufacteurs de Glaces et Produits Chimique de St. Gobain Chauny et Cirey	B. Long	Method of manufacturing sponge glass articles and the like.	27
402,440	7/14/41	Etablissements Lambiotte Freres	C. Coutor	Product applicable for tanning purposes and method for making the same.	27
412,280	9/25/41	Martin Moulet & Cie	J. Moulet	Centralized remote control systems for piping networks.	27
412,525	9/26/41	Societe Bronzavia	J. Malczewski	Electric circuits.	27
412,526	9/26/41	Societe Bronzavia	J. Malczewski	Devices for controlling multiple shutters.	27
412,527	9/26/41	Societe Bronzavia	J. Malczewski	Electric circuits of the kind of the armoured ignition circuits for engines.	27
412,528	9/26/41	Societe Bronzavia	J. Malczewski	Construction of turbo-machines.	27
413,866	10/6/41	H. Burgerhout	C. Van Der Leun	Fastening devices for easement windows, doors and the like.	49
416,914	10/28/41	N. V. Gruno & Adek Rijwielenfabrieken	A. Lankhorst	Process of rustproofing.	49
418,067	11/6/41	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann	A. Durr	Printing colors and a method for manufacturing the same.	27
419,545	11/18/41	Societe Francaise Radio-Electrique	H. Chireix	Apparatus for detecting underground lying metallic objects.	27
422,459	12/10/41	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann	G. Passeelecq	Agglomerating mixtures of solid material and liquid.	27
422,784	12/13/41	De Directie van der Staatsmijnen	M. Driessen	Separation of suspensions of solid matter in liquids.	49
426,244	1/9/42	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann	G. Passeelecq et al.	Molds and in particular to foundry cores and to their manufacture.	27
426,245	1/9/42	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann	G. Passeelecq	Manufacture of molded products.	27
431,003	2/16/42	V. Breslav	V. Breslav	Internal combustion engine.	7 & 65
434,440	3/12/42	S. A. Compagnie Francais De Raffinage	P. Woog	Catalysis process with continuous regeneration of the catalyzer.	27
436,356	3/20/42	Le Materiel Electrique S. A.	P. de Giacomoni	Series-parallel and parallel connections for direct current motors with split up exciting winding.	27
440,880	4/28/42	Puiseux Boulanger & Cie	J. Hauvette	Method of recovering rubber and resulting product.	27

[Vesting Order 722]

## PATENT APPLICATIONS OF OSWALD FIDEL WYSS, ET AL.

Re: Patent applications of nationals of foreign countries.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person, except F. Von Opel, to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, is a citizen and resident of the enemy country represented by the code number set forth after his respective name under the heading "NAT CODE" in said Exhibit A in accordance with the following:

28 represents Germany

34 represents Hungary

57 represents Rumania;

2. Finding, therefore, that each such person is a national of the foreign country represented by the code number set forth in said Exhibit A after his respective name in accordance with the aforesaid code;

3. Finding that F. Von Opel is a German citizen interned in the United States and, therefore, is a national of a foreign country (Germany);

4. Finding that each of the persons referred to in paragraphs 1 and 3 hereof is the owner of the patent application or applications with respect to which such person is listed as owner in said Exhibit A, and finding, therefore, that such patent applications are property in which nationals of foreign countries have interests;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the patent applications identified in said Exhibit A, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A  
Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Date	Owner	Inventor	Title	Nat Code
92,371	7/24/36	Oswald Fidel Wyss.....	P. Vogele.....	Manufacture of materials comprising artificial resins.	28
137,892	4/19/37	W. C. Heraeus G. m. b. H.	M. Auwarter.....	Production of metallic surface layers.	28
152,413	7/7/37	Oswald Fidel Wyss.....	A. Schmid.....	Processes for the production of heat.	28
248,046	12/28/38	O. Steiner.....	O. Steiner.....	Cinematograph cameras.....	28
281,690	6/28/39	M. Nitescu.....	M. Nitescu.....	Catalytic process for converting liquid and gaseous hydrocarbons into anti-knock spirit and aromatic hydrocarbons.	57
323,484	3/11/40	Vereinigte Glanzstoff-Fabriken A. G.	W. Bergenthal.....	Method of treating textile material.	28
363,709	10/31/40	H. Ranke.....	H. Ranke.....	Electric welding apparatus and method.	28
376,273	1/28/41	Gesellschaft fur Linde's Eisemaschinen A. G.	E. Karwat.....	Operation of shaft furnaces.....	28
407,518	8/20/41	Heinrich Lanz A. G.....	K. Jansen.....	Cutter head for milling machines.	28
414,206	10/8/41	Braunschweiger Huttenwerke G. m. b. H.	E. Meier, Sr.....	Process of manufacturing composite metal bodies.	28
414,207	10/8/41	Braunschweiger Huttenwerke G. m. b. H.	E. Meier, Sr.....	Method of applying bush metal to bushes.	28
414,208	10/8/41	Braunschweiger Huttenwerke G. m. b. H.	E. Meier, Sr.....	Method of applying a lining to machine elements.	28
414,208	10/9/41	Fernseh G. m. b. H.	R. Behne et al.....	Television pick-up tube.....	28
428,655	1/29/42	Egyesult Izolatapa es Vilamosagi Reszvenytarsasag.	L. Heller.....	Condensing spent steam.....	34
430,569	2/12/42	Fernseh G. m. b. H.....	R. Von Felgel-Farnholz.....	Black spot correcting means.	28
430,707	2/13/42	Tielisch G. m. b. H.....	G. Hainke.....	Production of flat glass.....	28
447,499	6/18/42	F. Von Opel.....	F. Von Opel.....	Fastening devices.....	28

[F. R. Doc. 43-2551; Filed, February 16, 1943; 11:17 a. m.]

[Vesting Order 864]

## TRUST UNDER WILL OF DAVID G. ALSOP

In re: Trust under Will of David G. Alsop, deceased; File D-39-1664; E. T. sec. 992.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Provident Trust Co. of Philadelphia, Trustee, acting under the judicial supervision of the Orphans' Court of Montgomery County, Pennsylvania; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Japan, namely,

National: Ryu Sato Oyaizu..... Last known address Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ryu Sato Oyaizu in and to the Trust Estate created under the Last Will and Testament of David G. Alsop, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be

held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2607; Filed, February 17, 1943; 11:45 a. m.]

[Vesting Order 865]

## ESTATE OF ALICE M. BACON

In re: Estate of Alice M. Bacon, deceased; File No. D-39-1505; E. T. sec. 967.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by The Union and New Haven Trust Company, as Trustee and Co-executor, acting under the judicial supervision of the Court of Probate, District of New Haven, New Haven County, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals: *Last known address*  
 Maki Hitotsuyanagi ----- Japan.  
 Mitsu Watanabe Kairiyama ----- Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maki Hitotsuyanagi and Mitsu Watanabe Kairiyama, and each of them, in and to trusts created by the Last Will and Testament of Alice M. Bacon, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-2608; Filed, February 17, 1943;  
 11:45 a. m.]

[Vesting Order 866]

ESTATE OF JULIUS BAMBERGER

In re: Estate of Julius Bamberger, deceased; File D-28-1774; E. T. sec. 921.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the

process of administration by the Wells Fargo Bank & Union Trust Company, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
 Elsa Meier ----- Germany.  
 Hugo Strauss ----- Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elsa Meier and Hugo Strauss and each of them in and to the trust estate created under the Will of Julius Bamberger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-2609; Filed, February 17, 1943;  
 11:45 a. m.]

[Vesting Order 867]

ESTATE OF EMMA BARTELS

In re: Estate of Emma Bartels, deceased; File No. D-28-1897; E. T. sec. 1663.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pur-

suant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for King's County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
 Amanda Pickenpack ----- Germany.  
 Diedrich Haack ----- Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Amanda Pickenpack and Diedrich Haack, and each of them, in and to the Estate of Emma Bartels, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-2610; Filed, February 17, 1943;  
 11:45 a. m.]

[Vesting Order 868]

ESTATE OF HELEN BLUM

In re: Estate of Helen Blum, also known as Honi Neuman, deceased; File D-34-85; E. T. sec. 1698.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	Last known address
Ignatz Neuman	Hungary
Bella Neuman	Hungary
Hajenal Neuman Salter	Hungary

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ignatz Neuman, Bella Neuman, and Hajenal Neuman Salter, and each of them, in and to the Estate of Helen Blum, also known as Honi Neuman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2611; Filed, February 17, 1943;  
11:46 a. m.]

[Vesting Order 869]

ESTATE OF HERMAN BRAUSE

In re: Estate of Herman Brause, also known as Herman B. Brause, deceased; File D-28-2106; E. T. sec. 2470.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Donald B. Waitman, Clerk of the Orphans' Court of York County, Pennsylvania, Depositary, acting under the judicial supervision of Orphans' Court of York County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Margarte Tetzler and the other children (names unknown) of Annie Kersh, deceased	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Margarte Tetzler and the other children (names unknown) of Annie Kersh, deceased, and each of them, in and to the estate of Herman Brause, also known as Herman B. Brause, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2612; Filed, February 17, 1943;  
11:50 a. m.]

[Vesting Order No. 870]

ESTATE OF FRANK BUFFATO

In re: estate of Frank Buffato, deceased; File D-38-1103; E. T. Sec. 2040.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, of the estate of Frank Buffato, deceased, acting under the judicial supervision of Superior Court, County of Los Angeles, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

National:	Last known address
Giuseppe Buffato	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giuseppe Buffato in and to the Estate of Frank Buffato, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2613; Filed, February 17, 1943;  
11:50 a. m.]

[Vesting Order 871]

ESTATE OF IDA CONSTANTIAN

In re: Estate of Ida Constantian, deceased; File No. D-28-3282; E. T. sec. 1672.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known address
Otto Peter..... Germany.
Paul Gomm..... Germany.
August Peter..... Germany.
Marie Gomm..... Germany.
Elizabeth Burger..... Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Otto Peter, Paul Gomm, August Peter, Marie Gomm and Elizabeth Burger, and each of them, in and to the Estate of Ida Constantian, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2614; Filed, February 17, 1943;  
11:50 a. m.]

[Vesting Order 872]

ESTATE OF AUGUST EBERT

In re: Estate of August Ebert, deceased; File D-28-1887; E. T. sec. 1652.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Last known address
Friederike Harr..... Germany.
Frieda Uhlmann..... Germany.
Caroline Uhlmann..... Germany.
Wilhelmina Uhlmann Assen- heimer..... Germany.
Alvin Ebert..... Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Friederike Harr, Frieda Uhlmann, Caroline Uhlmann, Wilhelmina Uhlmann Assenheimer and Alvin Ebert and each of them in and to the Estate of August Ebert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

dicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2615; Filed, February 17, 1943;  
11:50 a. m.]

[Vesting Order 873]

ESTATE OF JOHN ERNST

In re: Estate of John Ernst, deceased; File D-66-541; E. T. sec. 4137.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Citizens & Southern National Bank, 22 Bull Street, Savannah, Georgia, and Miss Angela Goette, 314 E. State Street, Savannah, Georgia, Executors, acting under the judicial supervision of the Court of Ordinary, of the State of Georgia, in and for the County of Chattoham;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known address
Mrs. Clara Hajdozy..... Germany (Austria).
Miss Frederica Elizabeth Ernst..... Germany.
Cilli Ernst Spalteholz..... Germany.
Wilhelm Ernst..... Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Clara Hajdozy, Miss Frederica Elizabeth Ernst, Cilli Ernst Spalteholz and Wilhelm Ernst, and each of them, in and to the estate of John Ernst, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2616; Filed, February 17, 1943;  
11:50 a. m.]

[Vesting Order 874]

ESTATE OF LEO FISCHEL

In re: Estate of Leo Fischel, deceased; File No. D-28-1906; E. T. sec. 1670.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Alice Gries.....	Germany.
Paul Fischel.....	Germany.
Fritz Fischel.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alice Gries, Paul Fischel and Fritz Fischel, and each of them, in and to the Estate of Leo Fischel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2617; Filed, February 17, 1943;  
11:51 a. m.]

[Vesting Order 875]

ESTATE OF BARBARA FLEISCHMAN

In re: Estate of Barbara Fleischman, deceased; File D-9-100-28-1976; E. T. sec. 2294.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Johan Kraus.....	Germany.
Kunigunde Ritschler.....	Germany.
Katharina Schwinn.....	Germany.
Andreas Kraus.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johan Kraus, Kunigunde Ritschler, Katharina Schwinn and Andreas Kraus and each of them, in and to the Estate of Barbara Fleischman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2618; Filed, February 17, 1943;  
11:51 a. m.]

[Vesting Order 876]

ESTATE OF JOHANNA FURST

In re: Estate of Johanna Furst, deceased; File D-9-100-6-137; E. T. sec. 1592.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Franz Unger.....	Germany.
Theresa Sakasits.....	Germany.
Brigetta Unger.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise,

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der or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Franz Unger, Theresa Sakasits and Brigetta Unger and each of them in and to the Estate of Johanna Furst, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2619; Filed, February 17, 1943;  
11:51 a. m.]

[Vesting Order 877]

ESTATE OF GEERTGE GOLDSCHMIDT

In re: Estate of Geertge Goldschmidt also known as Gertje Goldschmidt and Greta Goldschmidt, deceased; File No. D-28-1900; E. T. sec. 1666.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Carl Janssen whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carl Janssen in and to the Estate of Geertge Goldschmidt also known as Gertje Goldschmidt and Greta Goldschmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2620; Filed, February 17, 1943;  
11:51 a. m.]

[Vesting Order 878]

ESTATE OF SARAH GREENBERG

In re: Estate of Sarah Greenberg, deceased; File No. D-9-100-55-229; E. T. Sec. 1625.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Fisher Mokotoff, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fisher Mokotoff in and to the estate of Sarah Greenberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2621; Filed, February 17, 1943;  
11:51 a. m.]

[Vesting Order 879]

ESTATE OF HENRY GRUBE

In re: Estate of Henry Grube, deceased—File D-28-1882; E. T. Sec. 1647.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Willy Grube \_\_\_\_\_ Germany.  
Theodore Grube \_\_\_\_\_ Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Willy Grube and Theodore Grube, and each of them, in and to the Estate of Henry Grube, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2622; Filed, February 17, 1943;  
11:51 a. m.]

[Vesting Order 880]

ESTATE OF HEINRICH H. GRUBE

In re: Estate of Heinrich H. Grube, deceased—File F-28-14610; E. T. Sec. 4100.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Philip F. Farley, Ancillary Administrator, 17 Battery Place, New York, New York, acting under the judicial supervision of Surrogate's Court of Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
Martha Grube—Germany.  
Herman Otto Grube—Germany.  
Karl Heinz Grube—Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires

that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martha Grube, Herman Otto Grube, Karl Heinz Grube, and each of them, in and to the estate of Heinrich H. Grube, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2623; Filed, February 17, 1943;  
11:52 a. m.]

[Vesting Order 881]

ESTATE OF JOHN GSTACH

In re: Estate of John Gstach, deceased—File D-28-1566; E. T. sec. 341.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William Schlemm, administrator, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
Franz Gstach—Germany.  
Isabella Zwerger—Germany.  
Marie Schwarzhau—Germany.  
Karl Gstach—Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Franz Gstach, Isabella Zwerger, Marie Schwarzhau and Karl Gstach and each of them in and to the estate of John Gstach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2624; Filed, February 17, 1943;  
11:52 a. m.]

[Vesting Order 882]

ESTATE OF AUGUSTA GUGGISBERG

In re: Estate of Augusta Guggisberg, deceased—File No. D-28-1848; E. T. Sec. 1682.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Sophie Morle	Germany.
Lina Troupel	Germany.
Louise Faber	Germany.
Mathilde Prevosts	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and \*

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Morle, Lina Troupel, Louise Faber and Mathilde Prevosts, and each of them, in and to the Estate of Augusta Guggisberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] **LEO T. CROWLEY,**  
*Alien Property Custodian.*

[F. R. Doc. 43-2625; Filed, February 17, 1943;  
11:52 a. m.]

[Vesting Order 883]

**ESTATE OF LENA HERRMANN**

In re: Estate of Lena Herrmann, deceased—File D-28-1894; E.T. Sec. 1660.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under

the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Lina Walter	Germany.
Hans Herschmann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and \*

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lina Walter and Hans Herschmann, and each of them, in and to the Estate of Lena Herrmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] **LEO T. CROWLEY,**  
*Alien Property Custodian.*

[F. R. Doc. 43-2626; Filed, February 17, 1943;  
11:52 a. m.]

[Vesting Order 884]

**ESTATE OF WILHELM HOLSCHER**

In re: Estate of Wilhelm Holscher, deceased—File D-28-1945; E.T. sec. 1832.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gustav Holscher and Arthur F. Graham, Co-executors, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Allegheny County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
(Frau) Lina Holscher	Germany.
Editha Monnig	Germany.
Friedrich Monnig	Germany.
Siegfried Monnig	Germany.
Walter Monnig	Germany.
Gerhard Monnig	Germany.
Friedrich Degener	Germany.
Elfriede Tegtmeyer	Germany.
Friedrich Deiter	Germany.
Matilde (Mathilde) Peter	Germany.
Friedrich Deiter, Jr.	Germany.
Heinrich Deiter	Germany.
Anneliese Deiter	Germany.
(Frau) Lina Sieckmann	Germany.
Heinrich Holscher	Germany.
(Frau) Alvine Kallmeyer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and \*

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of (Frau) Lina Holscher, Editha Monnig, Friedrich Monnig, Siegfried Monnig, Walter Monnig, Gerhard Monnig, Friedrich Degener, Elfriede Tegtmeyer, Friedrich Deiter, Matilde (Mathilde) Peter, Friedrich Deiter, Jr., Heinrich Deiter, Anneliese Deiter, (Frau) Lina Sieckmann, Heinrich Holscher and (Frau) Alvine Kallmeyer and each of them in and to the Estate of Wilhelm Holscher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2627; Filed, February 17, 1943;  
11:52 a. m.]

[Vesting Order 885]

ESTATE OF GUIDO HOSELBARTH

In re: Estate of Guido Hoselbarth, also known as Guido Haselbarth, deceased; Filed D-28-1729; E. T. sec. 834.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Keehfuss, Executor, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Philadelphia County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: Katherine Hoselbarth  
Last known address Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katherine Hoselbarth in and to the Estate of Guido Hoselbarth, also known as Guido Haselbarth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as

may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2628; Filed, February 17, 1943;  
11:46 a. m.]

[Vesting Order 886]

ESTATE OF CARL LEMKE

In re: Estate of Carl Lemke, deceased—File No. D-28-1896; E.T. sec. 1662.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: Elizabeth (Ellie) Sohl  
Richard Sohl  
Marie Sohl  
Herman Schmarje  
Rudolph Schmarje  
Marie S. Otte  
Last known address Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elizabeth (Ellie) Sohl, Richard Sohl, Marie Sohl, Herman Schmarje, Rudolph Schmarje and Marie S. Otte, and each of them, in and to the Estate of Carl Lemke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2629; Filed, February 17, 1943;  
11:46 a. m.]

[Vesting Order 887]

TRUST UNDER WILL OF MANUEL MARENGO

In re: Trust under will of Manuel Marengo, deceased—File F-38-3614; E. T. Sec. 739.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, 300 Montgomery Street, San Francisco, California, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals: Angela Carlotta Marengo  
Collateral heirs and kinsmen (names unknown) of Manuel Marengo, deceased  
Last known address Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Angela Carlotta Marengo, and collateral heirs and kinsmen (names unknown) of Manuel Marengo, deceased, and each of them, in and to the trust estate created under the Last Will and Testament of Manuel Marengo, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further de-

termination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2630; Filed, February 17, 1943;  
11:46 a. m.]

[Vesting Order 888]

ESTATE OF ERNEST MENZELL

In re: Estate of Ernest Menzell, deceased—File D-28-1690; E. T. Sec. 653.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known address  
Ernestine Pauline Manja—Germany.  
Bertha Johanne Vogel—Germany.  
Emma M. L. Wystrach—Germany.  
Anna E. I. Anders—Germany.  
Karl H. A. Schloz—Germany.  
Karl G. A. Pensler—Germany.  
Martha Bredan—Germany.  
Luise M. Boer—Germany.  
Hans Menzel—Germany.  
Fritz C. Menzel—Germany.  
Elizabeth B. Boer—Germany.  
Auguste Sophie Carl—Germany.  
Maria M. Hoffmann—Germany.  
Carl F. Boer—Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernestine Pauline Manja, Bertha Johanne Vogel, Emma M. L. Wystrach, Anna E. I. Anders, Karl H. A. Schloz, Karl G. A. Pensler, Martha Bredan, Luise M. Boer, Hans Menzel, Fritz C. Menzel, Elizabeth B. Boer, Auguste Sophie Carl, Maria M. Hoffmann, and Carl F. Boer, and each of them, in and to the Estate of Ernest Menzell, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2631; Filed February 17, 1943;  
11:46 a. m.]

[Vesting Order 889]

ESTATE OF NICOLO Milioto

In re: Estate of Nicolo Milioto, deceased—File D-38-403; E. T. Sec. 1608.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the Bronx County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Anna Milioto, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Anna Milioto in and to the Estate of Nicolo Milioto, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2632; Filed, February 17, 1943;  
11:46 a. m.]

[Vesting Order 890]

ESTATE OF HELMUT MINNE

In re: Estate of Helmut Minne, deceased—File No. D-28-1838; E. T. Sec. 1678.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known address  
Karl Minne—Germany.  
Bertha Minne—Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Minne and Bertha Minne, and each of them, in and to the Estate of Helmut Minne, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2633; Filed, February 17, 1943;  
11:47 a. m.]

[Vesting Order 891]

ESTATE OF MARGARET MORGAN

In re: Estate of Margaret Morgen, deceased—File No. D-28-1902; E. T. Sec. 1668.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known  
address

Nationals:  
Ludwig Kraus—Germany.  
Margaretha Schlick—Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ludwig Kraus and Margaretha Schlick, and each of them, in and to the state of Margaret Morgen, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2634; Filed, February 17, 1943;  
11:47 a. m.]

[Vesting Order 892]

ESTATE OF AUGUSTE MOSLER

In re: Estate of Auguste Mosler, deceased; File F-28-7860; E. T. sec. 1757.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, Ancillary Administrator c. t. a., acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known  
address

Nationals:  
Hans Mosler—Germany.  
Ida Adelheid Mosler—Germany.

Executors, administrators, or personal representatives, names unknown, entitled to receive the estate of Auguste Mosler, who died a resident of Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hans Mosler, Ida Adelheid Mosler and Executors, administrators, or personal representatives, names unknown, entitled to receive the estate of Auguste Mosler, who died a resident of Germany and each of them in and to the Estate of Auguste Mosler, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2635; Filed, February 17, 1943;  
11:47 a. m.]

[Vesting Order 893]

ESTATE OF EMILE PFIZER

In re: Estate of Emile Pfizer, deceased; File D-28-1745; E. T. sec. 853.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The National City Bank of New York and Albert A. Teeter, co-executors, acting under the judicial supervision of the Somerset County Orphans' Court of Somerset County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

## FEDERAL REGISTER, Thursday, February 18, 1943

Nationals: *Last known address*  
 Alice Foehr, Germany.  
 Johannah Schnor, Germany.  
 Max Voeth, Germany.  
 Marie Metzel, Germany.  
 And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alice Foehr, Johannah Schnor, Max Voeth and Marie Metzel and each of them in and to the Estate of Emile Pfizer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-2636; Filed, February 17, 1943;  
 11:47 a. m.]

[Vesting Order 894]

ESTATE OF ALBERT PROTZ

In re: Estate of Albert Protz, deceased; F-28-71; E. T. sec. 2279.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Sur-

rogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Heinrich Protz-Stoffers whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Heinrich Protz-Stoffers in and to the Estate of Albert Protz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-2637; Filed, February 17, 1943;  
 11:47 a. m.]

[Vesting Order 895]

ESTATE OF THERESA RAITH

In re: Estate of Theresa Raith, deceased; File D-28-1692; E. T. sec. 641.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests herein described are property which is in the process of administration by Frederick V. Hebard, Executor of the estate of Theresa Raith, deceased, acting under the judicial

supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
 Magdalena Raith, Germany.  
 Simon Raith, Germany.  
 Betty Jauch, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Magdalena Raith, Simon Raith and Betty Jauch, and each of them, in and to the Estate of Theresa Raith, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-2638; Filed, February 17, 1943;  
 11:48 a. m.]

[Vesting Order 896]

ESTATE OF FRANK RATH

In re: Estate of Frank Rath, deceased; File D-28-1893; E. T. sec. 1659.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the

ess of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Johann Rath, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Johann Rath in and to the Estate of Frank Rath, deceased, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] **LEO T. CROWLEY,**  
Alien Property Custodian.

[F. R. Doc. 43-2639; Filed, February 17, 1943;  
11:48 a. m.]

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[Vesting Order 897]

**ESTATE OF JOHN ROMITO**

In re: Estate of John Romito, deceased; File D-38-363; E. T. sec. 747.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Philip Romito, administrator, acting under the judicial supervision of the Middlesex County Orphans' Court of Middlesex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Pasquale Romito	Italy.
Francesco Romito	Italy.
Guiseppe Romito	Italy.
Rosina Sarvancio	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Pasquale Romito, Francesco Romito, Giuseppe Romito and Rosina Sarvancio and each of them in and to the Estate of John Romito, deceased, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] **LEO T. CROWLEY,**  
Alien Property Custodian.

[F. R. Doc. 43-2640; Filed, February 17, 1943;  
11:48 a. m.]

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[Vesting Order 898]

**ESTATE OF LIBERATO SCHIAVONI**

In re: Estate of Liberato Schiavoni, deceased; File D-38-398; E. T. Sec. 1318.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by John Schiavoni, Administrator, 2504 Bathgate Avenue, Bronx, New York, acting under the judicial supervision of Surrogate's Court of Warren County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Giselda Marcozzi	Italy.
Lucia Caralla	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giselda Marcozzi and Lucia Caralla, and each of them in and to the estate of Liberato Schiavoni, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

**LEO T. CROWLEY,**  
Alien Property Custodian.

[F. R. Doc. 43-2641; Filed, February 17, 1943;  
11:48 a. m.]

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[Vesting Order 899]

**ESTATE OF IDA SONNENSCHEIN**

In re: Estate of Ida Sonnenschein, deceased; File D-28-1867; E. T. sec. 1690.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
 Klara Maier..... Germany.  
 Frieda Dreisacher..... Germany.  
 Simon Maier..... Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Klara Maier, Frieda Dreisacher and Simon Maier, and each of them, in and to the Estate of Ida Sonnenschein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-2642; Filed, February 17, 1943;  
 11:49 a. m.]

[Vesting Order 900]

## GUARDIANSHIP ESTATE OF ANNA STENGER

In re: Guardianship estate: Anna Stenger, minor; File F-28-12324—E. T. sec. 1230.

Under the authority of the Trading with the Enemy Act as amended, Execu-

tive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, substituted guardian of the Estate of Anna Stenger, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*  
 Anna Stenger..... Germany.

## And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Stenger in and to her estate under guardianship of Land Title Bank & Trust Company, guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-2643; Filed, February 17, 1943;  
 11:49 a. m.]

[Vesting Order 901]

## ESTATE OF WILLIAM J. TOMFORD

In re: Estate of William J. Tomford, deceased; File No. D-28-1898; E. T. sec. 1664.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*  
 Dick Tomforde..... Germany.  
 Ludwig Tomforde..... Germany.  
 Heinrich Tomforde..... Germany.  
 Wilhelm Tomforde..... Germany.  
 Dora Schumacher..... Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dick Tomforde, Ludwig Tomforde, Heinrich Tomforde, Wilhelm Tomforde and Dora Schumacher, and each of them, in and to the Estate of William J. Tomford, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-2644; Filed, February 17, 1943;  
 11:49 a. m.]

[Vesting Order 902]

## ESTATE OF MARIE TROST

In re: Estate of Marie Trost, deceased; File F-28-4294; E. T. sec. 1292.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of San Francisco County, California.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known National:	address
Friedrich E. C. Trost	Germany.
Anna M. J. Hansen	Germany.
Elsa Hedwig Scheff	Germany.
Maria Martha Trost	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Friedrich E. C. Trost, Anna M. J. Hansen, Elsa Hedwig Scheff and Maria Martha Trost, and each of them, in and to the estate of Marie Trost, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2645; Filed, February 17, 1943;  
11:49 a. m.]

[Vesting Order 903]

## ESTATE OF LOUISE A. WAGNER

In re: Estate of Louise A. Wagner, deceased; File No. D-28-1447; E. T. sec. 132.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of The City of New York, as Administrator of the goods, chattels and credits of Louise A. Wagner, deceased, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Last known National:	address
Gustave Gotthold Johannes Alexander Sperl	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany;

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gustave Gotthold Johannes Alexander Sperl in and to the estate of Louise A. Wagner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date

hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2646; Filed, February 17, 1943;  
11:49 a. m.]

[Vesting Order 904]

## ESTATE OF PAUL F. WALTER

In re: Estate of Paul F. Walter, deceased; File D-28-2057; E. T. sec. 2321.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by T. T. Grant, Administrator, acting under the judicial supervision of Superior Court of Spokane County, Washington.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Last known National:	address
Max Walter	Germany.

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Max Walter in and to the estate of Paul F. Walter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2647; Filed, February 17, 1943;  
11:49 a. m.]

[Vesting Order 905]

ESTATE OF WILHELMINA WESTENDORF

In re: Estate of Wilhelmina Westendorf, deceased; File D-28-1823; E. T. sec. 1387.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Emma Deyle, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever, of Emma Deyle, in and to the Estate of Wilhelmina Westendorf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-2648; Filed, February 17, 1943;  
11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 65]

GROSFIELD HOUSE, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under § 1352.51 (b) (2) of Maximum Price Regulation No. 65—Sale of Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Grosfeld House, Inc., New York, N. Y., may sell, offer to sell, deliver, or transfer the fabrics listed herein designated as Commander, Admiral, and President, at prices no higher than those set forth below:

	Cut order price	Roll price
Commander.....	\$7.30	\$6.35
Admiral.....	10.50	9.45
President.....	11.95	10.75

subject to 5% cash discount, 10 days, f. o. b. New York, New York.

(b) This Order No. 1 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 17th day of February, 1943.

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2562; Filed, February 16, 1943;  
2:27 p. m.]

[Order 163 Under MPR 188]

SUPERIOR BEDDING COMPANY

APPROVAL OF A MAXIMUM PRICE

Order No. 163 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) The Superior Bedding Company, 1358 Mullett Street, Detroit, Michigan, may sell the following new mattresses, listed herein at prices no higher than those set forth below:

Leader mattress.....	\$7.00
Peerless mattress.....	8.50
Superior 4 row mattress.....	11.50
Everbest 4 row mattress.....	15.00
Comfort queen mattress.....	17.50
Kingrest mattress.....	15.00

(b) This Order No. 163 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 163 shall become effective on the 17th day of February 1942.

Issued this 16th day of February 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-2563; Filed, February 16, 1943;  
2:26 p. m.]

[Suspension Order 210]

BASSETT'S AUTO CO.

ORDER RESTRICTING TRANSACTIONS

Bert O. Bassett, doing business as Bassett's Auto Company, Minocqua, Wisconsin, hereinafter called respondent, was duly served with notice of charges of violations of revised tire rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Rhinelander, Wisconsin, on November 24, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, it is hereby determined that:

(a) Respondent has violated revised tire rationing regulations (§§ 1315.801 and 1315.802) in that, on or about May 15, 1942, respondent, a tire dealer, transferred mounted and used 4 new automobile tires, taken from his stock, on motor vehicles owned or operated by him, without obtaining a certificate from a war price and rationing board authorizing such transfer. Such transfer was not within any of the classes of transfers permitted by revised tire rationing regulations to be made without the exchange of a certificate.

Because of the great scarcity and critical importance of rubber in the United States respondent's violation of revised tire rationing regulations has resulted in the diversion of rubber from military and essential civilian uses to non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(b) During the period in which this Suspension Order No. 210 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver any new or used tires or tubes

or any recapped or retreaded tires to any person; *Provided, however,* That subject to the prior approval of and supervision by the Regional Administrator of Region VI, Office of Price Administration, respondent may dispose of his stocks of tires and tubes on hand at the time this order is served upon him.

(2) Respondent shall not in any manner directly or indirectly accept for resale any deliveries or transfers of new or used tires or tubes or recapped or retreaded tires.

(3) No person shall in any manner directly or indirectly deliver or transfer any new or used tires or tubes or recapped or retreaded tires to respondent for resale.

(c) Any terms used in this Suspension Order No. 210 that are defined in revised tire rationing regulations shall have the meaning therein given them.

(d) This Suspension Order No. 210 shall become effective 12:01 A. M. February 26, 1943 and shall remain in effect until 12:01 A. M. December 31, 1944.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1B (7 F.R. 925, 3387) Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2564; Filed, February 16, 1943;  
2:28 p. m.]

[Suspension Order 212]

EAGLE OIL CO.

ORDER RESTRICTING TRANSACTIONS

H. S. Heisler, doing business as Eagle Oil Company, 252 Pearl Street, Baltimore, Maryland, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Baltimore, Maryland, on December 7, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Chairman of the Industrial Council, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at 252 Pearl Street, Baltimore, Maryland.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1502), in that on various occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, gasoline rationing regulations,

to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1502 and 1394.1503), in that between July 22, and November 17, 1942 respondent transferred gasoline to consumers and accepted in exchange therefor thirty-seven Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Maryland, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of Industrial Council that further violations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(d) During the period in which this Suspension Order No. 212 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale at his station at 252 North Pearl Street, Baltimore, Maryland.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline at his station at 252 North Pearl Street, Baltimore, Maryland.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale at his station at 252 North Pearl Street, Baltimore, Maryland.

(e) Any terms used in this Suspension Order No. 212 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

This Suspension Order No. 212 shall become effective 12:01 A. M. February 26, 1943, and unless sooner terminated shall expire 12:01 A. M. March 13, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February, 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2565; Filed, February 16, 1943;  
2:28 p. m.]

[Suspension Order 213]

LOU'S ESSO STATION

ORDER RESTRICTING TRANSACTIONS

Louis Yaccarino, doing business as Lou's Esso Station, Prospect and Summerfield Avenues, Asbury Park, New Jersey, hereinafter called respondent, was duly served with notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by

the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Asbury Park, New Jersey, on October 19, 1942. Respondent did not appear at this hearing but subsequently requested a rehearing. Pursuant to this request a further hearing upon the charges was held in Asbury Park, New Jersey, on November 6, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at Prospect and Summerfield Avenues, Asbury Park, New Jersey.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1101) in that on or about September 10, 1942, respondent, instead of using Non-Highway rations to clean automobile parts and tools, the purpose for which the rations were issued, used them to replenish his inventory.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1503) in that between July 22, 1942 and July 31, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons and without recording the names and addresses of the transferees and the number of gallons of gasoline so transferred. Such transfers were not within any of the classes of transfers permitted by Ration Order No. 5A, gasoline rationing regulations, to be made without the exchange of coupons. Although some of these consumers failed to surrender gasoline ration coupons to respondent on or before August 4, 1942, respondent failed to report to the State office of the Office of Price Administration nearest to him the names and addresses of such consumers.

Because of the great scarcity and critical importance of gasoline in New Jersey, violations of the gasoline rationing regulations by respondent necessarily have resulted in the diversion of gasoline from military and essential uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(d) During the period in which this Suspension Order No. 213 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 213 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 213 shall become effective at 12:01 A. M. February 26, 1943 and shall remain in effect until April 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2566; Filed, February 16, 1943;  
2:28 p. m.]

[Suspension Order 214]

GEORGE H. MILLER

ORDER RESTRICTING TRANSACTIONS

George H. Miller, Sidman, Cambria County, Pennsylvania, hereinafter called respondent was duly served with a notice of specific charges of violations of Rationing Order No. 3, sugar rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing on the charges was held in Pittsburgh, Pennsylvania, on October 20, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined that:

(a) Respondent owns and operates an establishment which is a wholesaler of sugar.

(b) Respondent has violated Rationing Order No. 3, sugar rationing regulations, (§ 1407.102) in that on May 7, 1942, respondent accepted delivery of 40,000 pounds of sugar without surrendering any certificates or stamps in exchange therefor until July 29, 1942. Respondent had not included this sugar in his present inventory at the time of registration.

(c) Respondent has violated Rationing Order No. 3, sugar rationing regulations, (§ 1407.102) in that on or about May 7, 1942, respondent transferred to the Johnstown Sanitary Dairy Company of Johnstown, Pennsylvania, 20,000 pounds of sugar without receiving any certificates or stamps in exchange therefor.

Because of the great scarcity and critical importance of sugar in the United States respondent's violations of Rationing Order No. 3, sugar rationing regulations, has resulted in the diversion of sugar from military and essential uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(d) During the period in which this Suspension Order No. 214 shall be in effect.

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any sugar for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in sugar.

(3) No person shall in any manner directly or indirectly transfer or deliver any sugar to respondent for resale.

(e) Any terms used in this Suspension Order No. 214 that are defined in Rationing Order No. 3, sugar rationing regulations, shall have the meaning therein given them.

(f) This suspension order shall become effective 12:01 A. M. February 26, 1943 and unless sooner terminated shall expire 12:01 A. M. April 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); E.O. 9280 (7 F.R. 10179) W.P.B. Directive No. 1 (7 F.R. 562) and Supplementary Directive No. 1E (7 F.R. 2965))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2567; Filed, February 16, 1943;  
2:27 p. m.]

[Suspension Order 215]

ATLANTIC MOTOR SERVICE

ORDER RESTRICTING TRANSACTIONS

Robert Bell, doing business as the Atlantic Motor Service, 2437 West Passyunk Avenue, Philadelphia, Pennsylvania, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Philadelphia, Pennsylvania, on December 2, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Chairman of the Industry Council, It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at 2437 West Passyunk Avenue, Philadelphia, Pennsylvania.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§§ 1394.1502 and 1394.1503), in that between July 22, and November 17, 1942, respondent transferred gasoline to consumers and accepted in exchange for such transfers 40 Class A, No. 3 coupons; 9 Class A, No. 4 coupons; 1 Class A, No. 5 and 6 Class A, No. 6 coupons.

Because of the great scarcity and critical importance of gasoline in Pennsylvania, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential

civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(c) During the period in which this Suspension Order No. 215 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or delivery any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 215 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

This Suspension Order No. 215 shall become effective 12:01 A. M. February 26, 1943, and unless sooner terminated shall expire 12:01 A. M. March 13, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216, 3877); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2568; Filed, February 16, 1943;  
2:27 p. m.]

[Suspension Order 217]

CHARLEY'S TIRE STATION

ORDER RESTRICTING TRANSACTIONS

Charles Lucerne, doing business as Charley's Tire Station, Main Street, Bloomingdale, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Newark, New Jersey, on December 23, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a filling station known as Charley's Tire Station at Main Street, Bloomingdale, New Jersey.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§§ 1394.1502 and 1394.1503) in that between July 22, 1942, and November 18, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for 154 Class

A, No. 3 and 7 Class A, No. 4 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in New Jersey, violations of the gasoline rationing regulations by respondent necessarily have resulted in the diversion of gasoline from military and essential uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(c) During the period in which this Suspension Order No. 217 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 217 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 217 shall become effective at 12:01 A. M. February 26, 1943 and shall remain in effect until March 13, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2569; Filed, February 16, 1943;  
2:27 p. m.]

[Suspension Order 218]

CAMEL'S SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Joseph M. Camel, doing business as Camel's Service Station, Route No. 10

and Salem Street, Dover, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Newark, New Jersey, on December 11, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Administrator, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at Route No. 10 and Salem Street, Dover, New Jersey.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers thirty Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

*It is therefore ordered:*

(d) During the period in which this Suspension Order No. 218 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 218 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 218 shall become effective 12:01 a. m. February 26, 1943, and unless sooner terminated, shall expire 12:01 a. m. March 8, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,  
Chairman, Industry Council.

[F. R. Doc. 43-2570; Filed, February 16, 1943;  
2:27 p. m.]

[Order 157 Under MPR 188]

COLUMBUS HEATING AND VENTILATING CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction

Item No. 112 of paragraph (b) of the document appearing on page 1904 of the issue for Friday, February 12, 1943, should read "No. 112—90° vertical stack ell, to metal:".

[Order 158 Under MPR 188]

STREATOR FURNITURE, INC.

APPROVAL OF MAXIMUM PRICES

Correction

The first paragraph of the document appearing on page 1989 of the issue for Saturday, February 13, 1943, should read: "Order No. 158 under § 1499.158 of Maximum Price Regulation No. 188 \* \* \*."

